

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

THIRTY-SEVENTH DAY'S PROCEEDINGS

Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, June 5, 2003

The House of Representatives was called to order at 1:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker

Fannin
Farrar
Fauchoux
Flavin
Frith
Total—104

Montgomery
Morrell
Morrish
Murray
Nevers

Walsworth
Welch
Winston
Wright

ABSENT

Wooton
Total—1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rev. Woody Markert.

Pledge of Allegiance

Rep. LeBlanc led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Bruneau, and under a suspension of the rules, the Journal of June 4, 2003, was corrected to reflect him as voting nay on final passage of House Bill No. 2003.

On motion of Rep. Frith, the Journal of June 4, 2003, was adopted.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to allow the Committee on Administration of Criminal Justice to meet while the House was in session.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SENATE BILLS

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 724 and 744

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 724—

BY SENATORS SMITH, ELLINGTON AND MCPHERSON AND
REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 32:1305(H) and (I), relative to motor vehicles; to provide for a safety inspection program for vehicles which transport forest products; to provide for a safety inspection program for certain vehicles transporting general freight and commodities; and to provide for related matters.

Read by title.

SENATE BILL NO. 744—

BY SENATORS SMITH, ELLINGTON AND MCPHERSON AND
REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 32:386(D) and to enact R.S. 32:386(L), relative to motor carriers; to provide for weight limits on vehicles transporting forest products; and to provide for related matters.

Read by title.

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 4, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 296 by Sen. Dardenne, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 4, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 388 by Sen. Schedler, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 4, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 213
Returned without amendments.

House Concurrent Resolution No. 223
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 4, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 424
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 113—

BY REPRESENTATIVE HONEY

A RESOLUTION

To commend Rickie Weeks of Southern University upon being selected by the Milwaukee Brewers in the Major League Baseball First-Year Player Draft.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was adopted.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to establish a special committee to study and provide recommendations on the implementation of criminal background checks for employees at institutions of postsecondary education.

Read by title.

On motion of Rep. Crane, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of adding an additional lane in each direction on a portion of Interstate 12 in St. Tammany Parish.

Read by title.

On motion of Rep. Schneider, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To commend and congratulate Mike Graham upon the occasion of his retirement and for his many years of service as a television weatherman on WAFB-TV Channel 9.

Read by title.

On motion of Rep. Broome, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Donald J. Palmisano, MD, JD for being elected president of the American Medical Association.

Read by title.

On motion of Rep. Toomy, and under a suspension of the rules, the resolution was concurred in.

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 303—
BY SENATORS MOUNT AND SCHEDLER
AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 521 through 526, and 531 through 533; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide for the adoption of a

confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 424—
BY SENATOR CHAISSON
AN ACT

To enact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 477—
BY SENATOR CHAISSON
AN ACT

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 481—
BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 27:302 (A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills a video draw poker device accepts; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 582—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 30:2006, relative to environmental quality; to provide for the mandatory notification of residents by certain state agencies for environmental contamination; to provide for a definition of "notice"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

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SENATE BILL NO. 909—

BY SENATOR CAIN

AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 1008—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES, FIELDS, BAJOLE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVES FUTRELL AND DIEZ

A CONCURRENT RESOLUTION

To create the Special Legislative Commission on Funding and Efficiency of the Louisiana Department of Transportation and Development to evaluate various aspects of the operation of the Department of Transportation and Development.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE CONCURRENT RESOLUTION NO. 224 (Substitute for HCR No. 109 by Representatives Futrell and Diez)—

BY REPRESENTATIVES FUTRELL AND DIEZ

A CONCURRENT RESOLUTION

To request the House Committee on Transportation, Highways, and Public Works and the Senate Committee on Finance to meet and function as a joint committee to evaluate the structure, operation and means of funding of the Department of Transportation and Development, to compare similar agencies in other states, and to make recommendations to the legislature relative to funding and organizational structure.

Read by title.

On motion of Rep. Lancaster, the substitute was adopted and became House Concurrent Resolution No. 224 by Rep. Futrell, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Concurrent Resolution No. 109 by Rep. Futrell.

Under the rules, lies over in the same order of business.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To provide with respect to the promotion and strengthening of marriages.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges to comply with the provisions of R.S. 17:4(B)(1) relative to the retention of all rights, privileges, and benefits enjoyed by persons employed by the State Board of Elementary and Secondary Education or the state Department of Education in the performance of its functions relating to postsecondary vocational-technical schools when such functions and employees were transferred by the legislature to the Board of Supervisors of Community and Technical Colleges.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 180 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "the" change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 26, after "hereby" and before "the" change "direct" to "urge and request"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the resolution, as amended, was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 200—
BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to review the registry of current requests for long-term care services and to recommend practical solutions on how these services may be more effectively and efficiently provided.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the resolution was ordered engrossed and passed to its third reading.

**Senate Concurrent Resolutions
Reported by Committee**

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to examine state policies on and local implementation of test accommodations for certain students with disabilities who take the graduation exit exam in pursuit of a high school diploma.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original Senate Concurrent Resolution No. 30 by Senator Michot

AMENDMENT NO. 1

On page 1, line 4, after "for" delete the remainder of the line and delete line 5, and insert in lieu thereof "students with disabilities who participate in statewide assessments."

AMENDMENT NO. 2

On page 2, delete lines 6 through 13 in their entirety

AMENDMENT NO. 3

On page 3, at the end of line 4, after "school" change "diploma; and" to "diploma."

AMENDMENT NO. 4

On page 3, delete lines 5 through 10 in their entirety

AMENDMENT NO. 5

On page 3, delete lines 14 and 15 in their entirety and insert in lieu thereof the following:

"students with disabilities who participate in statewide assessments.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the State Board of Elementary and Secondary Education to provide guidelines on the selection and use of appropriate test accommodations and to provide technical assistance to special and regular education personnel and district test coordinators on such test accommodations to ensure appropriate local implementation."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the School Finance Review Commission to study and make recommendations for including in the minimum foundation program formula a funding component specifically for funding those students in schools located in areas that have high concentrations of poverty.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered passed to its third reading.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 43—
BY REPRESENTATIVE STRAIN
AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 332— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 332 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 9, after "board" and before "However," delete the period "." and insert a semicolon ";," and the following:

"provided that no member of the board shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any person to enter into such a contract or to provide such board member or any other person with any thing of economic value."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 443— BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 443 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 4, after "employment of" delete the remainder of the line and on line 5 delete "and occupational therapists" and insert "allied health professionals"

AMENDMENT NO. 2

On page 1, at the beginning of line 6, after "of" and before "a" insert "a member of the parish governing authority or"

AMENDMENT NO. 3

On page 1, line 8, after "authorities;" and before "to provide" insert "to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons;"

AMENDMENT NO. 4

On page 2, line 6, after "licensed physician" delete the remainder of the line and on line 7 delete "allied health professional, including without limitation," and insert a comma ","

AMENDMENT NO. 5

On page 2, line 8, after "nurse," delete the remainder of the line and on line 9 delete "therapist" and insert "or an allied health professional"

AMENDMENT NO. 6

On page 2, line 11, after "authority" delete the remainder of the line and insert a comma "," and insert "provided that such family member is the only qualified applicant who has applied for the position after it has been advertised for at least thirty days in the official journal of the parish and in all newspapers of general circulation in the parish where the hospital is located."

AMENDMENT NO. 7

On page 2, line 13, after "physician" insert a comma "," and on line 14 delete "or allied health professional, including without limitation, a"

AMENDMENT NO. 8

On page 2, line 15, after "nurse," delete the remainder of the line and on line 16 delete "therapist" and insert "or allied health professional"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 611— BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 611 by Representative Faucheux

AMENDMENT NO. 1

On page 1, delete lines 4 through 6 in their entirety and insert in lieu thereof:

"removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities"

AMENDMENT NO. 2

On page 1, delete lines 14 and 15 in their entirety and insert in lieu thereof:

"A.(1) When the governing body of any municipality or parish, as the case may be, has determined, by resolution as set forth in R.S."

AMENDMENT NO. 3

On page 2, line 1, after "municipality" and before "or if" insert "or parish,"

AMENDMENT NO. 4

On page 2, delete lines 5 through 9 in their entirety and insert in lieu thereof:

"(2) Notwithstanding any other provision of law to the contrary, when the governing body of any parish with a population of not more than forty-three thousand seven hundred fifty persons and not less than forty-two thousand seven hundred fifty persons based on the latest federal decennial census has determined, by resolution as set forth in R.S. 40:393, that it is expedient to establish a local housing authority, the governing body of any such parish shall appoint five persons who shall constitute the governing body of the local housing authority and shall be called commissioners."

AMENDMENT NO. 5

On page 3, line 7, after "municipality" delete the comma "," and insert "or parish."

AMENDMENT NO. 6

On page 3, line 7, after "as the case may be," delete the remainder of the line and on line 8, delete "governing body of a parish"

AMENDMENT NO. 7

On page 3, line 18 after "municipality" insert "or parish"

AMENDMENT NO. 8

On page 3, delete line 19, and insert "official of the municipality or parish appointing the commissioner, or"

AMENDMENT NO. 9

On page 3, at the end of line 24, insert the following:

"with a population of not more than forty-three thousand seven hundred fifty persons and not less than forty-two thousand seven hundred fifty persons based on the latest federal decennial census"

AMENDMENT NO. 10

On page 4, delete line 6, and insert "municipality or parish, as the case may be,"

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 642—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to add Article X, Section 29(E)(2)(e) of the Constitution of Louisiana, relative to retirement and survivors' benefits; to provide relative to the establishment and actuarial soundness of certain public retirement systems; to provide for amortization of supplemental unfunded accrued liability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 642 by Representative Daniel

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and at the beginning of line 5 delete "to retirement provisions;" and insert:

"Proposing to add Article X, Section 29(E)(2)(e) of the Constitution of Louisiana, relative to retirement and survivors' benefits;"

AMENDMENT NO. 2

On page 1, line 7, after "amortization of" delete the remainder of the line and on line 8, delete "subsequent" and insert "supplemental"

AMENDMENT NO. 3

On page 1, line 8, after "liability;" delete the remainder of the line.

AMENDMENT NO. 4

On page 2, line 1, change "amend Article X, Section 29" to "add Article X, Section 29(E)(2)(e)"

AMENDMENT NO. 5

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On page 2, delete lines 4 through 25 in their entirety and delete pages 3 through 6 in their entirety and on page 7, delete lines 1 through 3 in their entirety, and insert in lieu thereof:

"Section 29.

* * *

(E) Actuarial Soundness.

* * *

(2) For public retirement systems whose benefits are guaranteed by this constitution as is specified in Paragraphs (A) and (B) of this Section:

* * *

(e) Actuarial gains and losses, changes in the method of valuation of assets, changes in actuarial assumptions or actuarial funding methods excluding changes in methods of valuing assets, and changes in actuarial accrued liability due to legislative changes in plan provisions for the Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System shall be amortized over a period of thirty years from the year the gain, loss, or change occurred, beginning with the fiscal year ending June 30, 2001. The balance of amortization bases for such gains, losses, and changes established before the fiscal year ending June 30, 2001, shall be amortized as a level dollar amount from July 1, 2003, through June 30, 2029. The legislature shall, in each fiscal year, appropriate to each of these systems an amount sufficient to fund the amortization payments hereunder."

AMENDMENT NO. 6

On page 7, delete lines 11 through 23 in their entirety and insert in lieu thereof:

"To provide for amortization of actuarial gains and losses, changes in the method of valuation of assets, changes in actuarial assumptions or actuarial funding methods excluding changes in methods of valuing assets, and changes in actuarial accrued liability due to legislative changes in plan provisions for the Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System over a thirty-year period from the year of occurrence beginning with the fiscal year ending June 30, 2001; to provide for the amortization in level dollar amounts of the balance of amortization bases for such gains, losses, and changes established before the fiscal year ending June 30, 2001; to require the legislature to make annual appropriations to the systems for payments in accordance with the amortization schedule. (Adds Article X, Section 29(E)(2)(e))"

On motion of Rep. Schneider, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 783—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 783 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 4, after "entities" delete the semicolon ";" and insert "under certain circumstances;"

AMENDMENT NO. 2

On page 1, line 13, after "resolution" delete the period "." and insert a comma "," and the following:

"provided that the provisions of the home rule charter, plan of government, state law, or local ordinance or resolution require the governing authority to appoint one of its members to the board, commission, or other entity."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 787—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to certain boards, commissions, and entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1084—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 11:1732(12)(b) and to enact R.S. 11:1732(27.1), 1782(3), and 1802(3), relative to the Municipal Employees' Retirement System; to provide for definitions; to authorize marshals to include certain supplements, fees, and commissions in their earnings for purposes of the retirement system; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 1084 by Representative Powell

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert the following:

"To amend and reenact R.S. 11:1732(12)(b) and to enact R.S. 11:1732(27.1), 1782(3), and 1802(3), relative to the Municipal Employees' Retirement System; to provide for definitions; to authorize marshals to"

AMENDMENT NO. 2

On page 1, delete line 12 in its entirety and insert:

"Section 1. R.S. 11:1732(12)(b) is hereby amended and reenacted and R.S. 11:1732(27.1), 1782(3), and 1802(3) are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 2, delete lines 8 through 11 in their entirety and insert:

"and any taxable vehicle allowance, but only applicable to those persons serving as city marshal or deputy city marshals of Bossier City or Ruston on June 30, 2003.

* * *

(27.1) "Supplemental marshals' earnings" means the salary received from the state of Louisiana, fees received for service of civil papers, and commissions received as a result of sales and garnishments pursuant to R.S. 33:1704."

AMENDMENT NO. 4

On page 2, between lines 12 and 13 insert the following:

"§1782. Computation of normal retirement allowances; return of accumulated contributions

The monthly amount of the retirement allowance for any member of Plan A shall consist of an amount equal to three percent of the member's final compensation multiplied by his years of creditable service, provided however, that:

* * *

(3) Any city marshal or deputy city marshal, excluding those members serving as city marshals and deputy city marshals of Bossier City or Ruston on June 30, 2003, shall receive an additional regular retirement benefit computed as follows: the monthly average of the seventy-two highest consecutive or joined months of supplemental marshals' earnings on which contributions were paid to the retirement system multiplied by the number of years contributions were paid to the retirement system on supplemental marshals' earnings multiplied by three percent for all service as a city marshal or deputy city marshal, plus one-half of one percent for all elected service as a city marshal. Should the period for which contributions are paid to the retirement system for supplemental marshals' earnings be less than seventy-two months, then the actual period on which contributions were paid shall be used to determine average supplemental marshals' earnings used to compute this benefit.

* * *

§1802. Computation of normal retirement allowance

The monthly amount of the retirement allowance for any member of Plan B shall consist of an amount equal to two percent of the member's final compensation multiplied by his years of creditable service, provided that:

* * *

(3) Any city marshal or deputy city marshal, excluding those members serving as city marshals and deputy city marshals of Bossier City or Ruston on June 30, 2003, shall receive an additional regular retirement benefit computed as follows: the monthly average of the seventy-two highest consecutive or joined months of supplemental marshals' earnings on which contributions were paid to the retirement system multiplied by the number of years contributions were paid to the retirement system on supplemental marshals' earnings multiplied by two percent for all service as a city marshal or deputy city marshal, plus one-half of one percent for all elected service as a city marshal. Should the period over which contributions are paid to the retirement system on supplemental marshals' earnings be less than seventy-two months, then the actual period for which contributions were paid shall be used to determine average supplemental marshals' earnings used to compute this benefit."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1116— BY REPRESENTATIVE LANDRIEU AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1116 by Representative Landrieu

AMENDMENT NO. 1

On page 1, line 3, change "Trail" to "Way"

AMENDMENT NO. 2

On page 1, line 7, change "Trail" to "Way"

AMENDMENT NO. 3

On page 1, on line 8, delete "The purpose of this Section is to create the" and insert "A. The"

AMENDMENT NO. 4

On page 1, line 9, after "WETLAND" delete "Trail" and insert:

"Way is hereby created in the Governor's Office of Coastal Activities.

B. The purpose of the America's WETLAND Way shall be"

AMENDMENT NO. 5

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On page 1, line 11, after "nation" delete the period "." and delete "The trail will be used to bring" and insert "and to promote"

AMENDMENT NO. 6

On page 1, line 13, after "wetlands," insert the following:

"C.(1) The Governor's Office of Coastal Activities shall develop and implement a plan for the way which shall at a minimum meet the objectives in Paragraph (2) of this Subsection.

(2)"

AMENDMENT NO. 7

On page 1, line 13, change "trail" to "way"

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1417—

BY REPRESENTATIVES WINSTON AND PEYCHAUD
AN ACT

To enact Children's Code Article 603.1, relative to abuse of children; to provide certain educational requirements for teacher certification; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1417 by Representative Winston

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "to" and at the beginning of line 3 delete "provide for mandatory reporters;"

AMENDMENT NO. 2

On page 1, line 3, after "to provide" and before "certain" delete "for"

AMENDMENT NO. 3

On page 1, line 12, after "requirements" delete the remainder of the line and insert in lieu thereof "and procedures for reporting"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1442—

BY REPRESENTATIVE SWILLING
AN ACT

To amend and reenact R.S. 11:3689(A) and to enact R.S. 11:262(14), relative to the Harbor Police Retirement System; to provide with respect to the investment of funds; to provide for fiduciary and investment responsibilities and standards; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1457—

BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 40:401.1, relative to housing authorities; to provide for community service requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1457 by Representative Glover

AMENDMENT NO. 1

On page 1, line 9, after "authorities" and before "adopt rules" change "shall" to "may"

AMENDMENT NO. 2

On page 1, at the end of line 13, after "42 U.S.C. 1437(j)(c)." delete "The" and at the beginning of line 14, delete "authority" and insert in lieu thereof the following: "If the authority adopts such rules, it"

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1475—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3363(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide that the six percent salary deductions from a member's salary shall cease when a member has twenty years of service; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1482—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 17:416.18, relative to student safety and protection; to provide protection from discrimination and harassment for students; to provide definitions; to require local school boards to adopt certain policies; to provide for policy components; to provide relative to reporting certain incidents; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1482 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 22, after "expression" and before "is" insert "whether or not such identity, appearance, or expression"

AMENDMENT NO. 2

On page 5, line 13, after "harassment" delete the remainder of the line and delete lines 14 and 15 and insert a period "."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1490—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3378(A)(1)(a) and (2)(a), relative to the Firefighters' Pension and Relief Fund for the city of New Orleans; to provide with respect to benefits to surviving spouses of members killed or who died from injury received while engaged in the discharge of their duties; to provide with respect to benefits to surviving spouses of other members and former members; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1568—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 17:3396.4(A)(9) and (11), relative to the board of directors of the Research Park Corporation; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the

application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1568 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 4, after "members;" delete the remainder of the line and delete line 5, and insert the following:

"to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to"

AMENDMENT NO. 2

On page 2, line 1, after "chamber" delete the remainder of the line and delete lines 2 through 4 and insert a period "." and the following:

"The ability of the member to recuse himself from voting shall be limited to recusal on votes which would be a violation of R.S. 42:1112(B)(3) involving any person of which he is an officer, director, trustee, or partner, provided that such member receives no compensation or other thing of economic value from such person. In addition, such member shall not be prohibited by R.S. 42:1111(C)(2)(d) from performing services for any person who has or is seeking to obtain contractual or other business or financial relationships with the Research Park Corporation, provided that such member receives no compensation or other thing of economic value from such person and provided that such member shall recuse himself from any vote of the board regarding such person."

AMENDMENT NO. 3

On page 2, line 8, after "foundation" delete the remainder of the line and delete lines 9 through 11 and insert a period "." and the following:

"The ability of the member to recuse himself from voting shall be limited to recusal on votes which would be a violation of R.S. 42:1112(B)(3) involving any person of which he is an officer, director, trustee, or partner, provided that such member receives no compensation or other thing of economic value from such person. In addition, such member shall not be prohibited by R.S. 42:1111(C)(2)(d) from performing services for any person who has or is seeking to obtain contractual or other business or financial relationships with the Research Park Corporation, provided that such member receives no compensation or other thing of economic value from such person and provided that such member shall recuse himself from any vote of the board regarding such person."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 1625—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:102(B)(3)(d), 542(A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B), (C)(1)(introductory paragraph), and (D), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System and of the Teachers' Retirement System of Louisiana; to provide for amortization of unfunded accrued liabilities in over a thirty-year period from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 1625 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof "R.S. 11:102(B)(3)(d), 542 (A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B)."

AMENDMENT NO. 2

On page 1, at the end of line 5, after "liabilities" delete the semicolon ";", and insert "of the Louisiana State Employees' Retirement System and of the Teachers' Retirement System of Louisiana;"

AMENDMENT NO. 3

On page 1, delete line 7 in its entirety and at the beginning of line 8 delete "Standards Board;" and insert "over a thirty-year period from the time of occurrence;"

AMENDMENT NO. 4

On page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof "Section 1. R.S. 11:102(B)(3)(d), 542 (A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B), (C)(1)(introductory"

AMENDMENT NO. 5

On page 2, delete lines 4 through 26 in their entirety

AMENDMENT NO. 6

On page 3, delete lines 1 through 17 in their entirety

AMENDMENT NO. 7

On page 4, line 5, after "(i)" delete "Actuarial" and insert "Except as provided in Item (v) of this Subparagraph, actuarial"

AMENDMENT NO. 8

On page 4, delete line 8 through 14 in their entirety and insert:

"as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence or by the year 2029, such gains and losses to include any increases in actuarial liability due to governing authority granted cost-of-living increases."

AMENDMENT NO. 9

On page 4, line 15, after "(ii)" delete "Changes" and insert "Except as provided in Item (v) of this Subparagraph, changes"

AMENDMENT NO. 10

On page 4, delete lines 16 through 20 in their entirety and insert:

"to be computed as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence of the change or by the year 2029."

AMENDMENT NO. 11

On page 4, line 21, after "(iii)" delete "Changes" and insert "Except as provided in Item (v) of this Subparagraph, changes"

AMENDMENT NO. 12

On page 4, delete lines 23 through 25 in their entirety, and on page 5 delete lines 1 and 2 in their entirety and insert:

"payments to be computed as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of thirty years from the year of occurrence of the change or by the year 2029."

AMENDMENT NO. 13

On page 5, line 3, after "(iv)" delete "Changes" and insert "Except as provided in Item (v) of this Subparagraph, changes"

AMENDMENT NO. 14

On page 5, delete lines 7 through 11, and insert:

"or, if not specified in such legislation, as an amount forming an annuity increasing at four and one-half percent annually over the later of a period of fifteen years from the year of occurrence of the change or by the year 2029."

AMENDMENT NO. 15

On page 5, between lines 11 and 12, insert:

"(v) Effective July 1, 2003, and beginning with the Fiscal Year ending June 30, 2001, the amortization period for the changes, gains, or losses of the Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System provided in Items (i) through (iv) of this Subparagraph shall be thirty years from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Item (i) through (iv) of this Subparagraph before the Fiscal Year ending June 30, 2001, shall be amortized as a level dollar amount from July 1, 2003 through June 30, 2029."

AMENDMENT NO. 16

On page 5, delete line 14 and insert in lieu thereof:

"A. The Employee Experience Account shall be credited as follows:

(1) ~~An~~ Up to an amount equal to fifty percent of the prior year's net investment experience gain as determined by the system's actuary.

(2) ~~An~~ Up to an amount equal to that portion of the system's net investment income attributable to the balance in the Employee Experience Account during the prior year.

(3) In no event shall the amount in the Employee Experience Account exceed the reserve necessary to grant two cost-of-living adjustments as provided in Subsection C of this Section."

AMENDMENT NO. 17

On page 7, delete line 8, and insert in lieu thereof:

"A. The employee experience account shall be credited as follows:

(1) ~~An~~ Up to an amount equal to fifty percent of the prior year's net investment experience gain as determined by the system's actuary.

(2) ~~An~~ Up to an amount equal to that portion of the system's net investment income attributable to the balance in the employee experience account during the prior year.

(3) In no event shall the amount in the Employee Experience Account exceed the reserve necessary to grant two cost-of-living adjustments as provided in Subsection C of this Section."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1804—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1804 by Representative Toomy

AMENDMENT NO. 1

On page 2, line 1, after "who receives" and before "no remuneration" delete "nominal or"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1815—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 42:1123(31); to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1837—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1837 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 3, after "physicians" and before "serving" insert "who are cardiologists and who are"

AMENDMENT NO. 2

On page 1, line 6, after "allow" and before "a" insert "such"

AMENDMENT NO. 3

On page 1, line 8, after "provide for" and before "member's" delete "the" and insert "such"

AMENDMENT NO. 4

On page 2, line 1, after "(18)" insert "(a)"

AMENDMENT NO. 5

On page 2, line 4, after "population of" and before "thousand" delete "forty-five" and insert "twenty-five"

AMENDMENT NO. 6

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On page 2, line 6, after "jurisdiction" delete the comma "," and delete the remainder of the line and delete line 7 and on line 8 delete "board exercises jurisdiction." and insert a period "."

AMENDMENT NO. 7

On page 2, line 10, after "him" delete the remainder of the line and on line 11, delete "which he owns an interest that are" and insert "and"

AMENDMENT NO. 8

On page 2, between lines 11 and 12, insert the following:

"(b) A licensed physician who is a cardiologist and who is a member of a board of commissioners for any hospital service district authorized by Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950 located within a parish which has a population of forty-five thousand or less from contracting or subcontracting from another provider with the hospital over which the board exercises jurisdiction, or from owning an interest in an entity that contracts with the hospital over which the board exercises jurisdiction. However, such licensed physician shall recuse himself from participating in any transaction before the board relating to any contracts entered into by him or by any entity in which he owns an interest that are permitted by this Paragraph."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1984—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 14:30(A)(8), relative to homicide; to provide with respect to the crime of first degree murder; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1984 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "to amend and reenact R.S. 14:30(B) and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S."

AMENDMENT NO. 4

On page 1, line 12, after "been" delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof the following:

"issued, prior to the homicide, by a judge or magistrate any lawful order prohibiting contact between the offender and the victim in response to threats of physical violence or harm which was served on the offender and is in effect at the time of the homicide."

AMENDMENT NO. 5

On page 1, delete lines 15 through 17 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 1 through 11 in their entirety

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1996—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1996 by Representative Honey

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 40:490(C)," delete the remainder the line and on line 4 delete "authority" and insert:

"relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes"

AMENDMENT NO. 2

On page 1, delete lines 15 through 18 and insert:

"C. Notwithstanding the provisions of Subsection B of this Section, any parish with a population of in excess of three hundred fifty thousand persons but not exceeding four hundred twenty thousand persons, according to the most recent federal decennial census, and any municipality or school board in the parish may exercise any of the powers granted in Subsection B of this Section. A housing authority in any such parish shall make payments in lieu of taxes to a school district in which the housing authority is located."

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 24— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(b), relative to the regulation of amusement attractions and rides; to provide for the inspection qualifications for air-supported structures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 39— BY SENATOR DUPRE AND REPRESENTATIVE PITRE

AN ACT

To enact Part VI-B of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:126, and to repeal R.S. 49:121(A)(2), relative to public vehicles; to provide for the placement of certain promotional stickers on public vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 42— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 38:2212(C)(2), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by means other than mail; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 42 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 12, following "C." delete the remainder of the line and delete lines 13 through 15 and on page 2 delete line 1 and insert asterisks " * * * "

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 53— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 53 by Senator Fields

AMENDMENT NO. 1

On page 2, line 8, after "operated" and before "and" delete "on a public road"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 62— BY SENATOR MCPHERSON

AN ACT

To amend and reenact Code of Civil Procedure Art. 4501, relative to representation of minors; to authorize the mother to represent the minor in certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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SENATE BILL NO. 70— BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 32:365(A), relative to motor vehicles; to provide with respect to traffic safety regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 70 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 12, after "television broadcast" delete the remainder of the line and delete line 13 in its entirety and delete "discs" from the beginning of line 14 and insert "or a video signal that produces entertainment or business applications"

AMENDMENT NO. 2

On page 2, at the end of line 1, insert the following:

"Additionally, no retailer shall install a television receiver, screen or other means of receiving a visual television broadcast or video signal that produces entertainment or business applications, in a motor vehicle at any point forward of the back of the driver's seat or at any point which would make the device visible to the driver while operating the motor vehicle."

AMENDMENT NO. 3

On page 2, line 12, after "screen" and before the comma "," insert "that produces entertainment or business applications"

AMENDMENT NO. 4

On page 2, line 13, after "equipment has" delete the remainder of the line in its entirety and insert "a"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 84— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 104— BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:3881(A)(2)(d), relative to seizures; to provide for an exemption in bankruptcy proceedings for a motor vehicle valued at seven thousand five hundred dollars or less; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 104 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:3881(A)(2)(d)" and before the comma "," insert "and to enact R.S. 13:3881(A)(2)(f)"

AMENDMENT NO. 2

On page 1, line 3, after "exemption" and before "for" delete "in bankruptcy proceedings" and insert "from seizure"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" and before "and" insert "to provide for the exemption from seizure of one firearm with a maximum value of five hundred dollars;"

AMENDMENT NO. 4

On page 1, line 7, after "reenacted" and before "to" insert "and R.S. 13:3881(A)(2)(f) is hereby enacted"

AMENDMENT NO. 5

On page 2, line 2, after "(d)" and before "motor" delete "One" and insert "Seven thousand five hundred dollars in equity value for one"

AMENDMENT NO. 6

On page 2, line 3, after "household" and before "NADA" change the comma "," to a period "." and delete "with a" and insert "The equity value of the motor vehicle shall be based on the"

AMENDMENT NO. 7

On page 2, line 4, after "model" delete the remainder of the line and at the beginning of line 5, delete "dollars."

AMENDMENT NO. 8

On page 2, after line 11, add the following:

"(f) one firearm with a maximum value of five hundred dollars."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 106—
BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a retail business may not require or obtain certain personal information for certain transactions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 106 by Senator Fields

AMENDMENT NO. 1

On page 1, line 3, after "require" and before "certain" delete "or obtain"

AMENDMENT NO. 2

On page 1, line 10, after "require" and before "a consumer's" delete "or obtain"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 141—
BY SENATOR DUPRE

AN ACT

To enact R.S. 32:408(B)(4)(c), relative to school bus drivers; to provide for a restriction to commercial driver's licenses for operation only of a school bus; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 171—
BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 9:2799(A)(2) and (B)(1), relative to limitation of liability for damages from donated food; to provide for the limitation of liability for damages from donated food for certain designated distributors; to provide that the definition of a "food

bank" include distributing edible products to designated distributors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 223—

BY SENATOR BARHAM AND REPRESENTATIVE DIEZ

A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana; to provide for certain TIMED project descriptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 265—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 9:3576.6(A) and (C) and R.S. 32:393(C)(2) and (3), relative to parking violations; to remove prohibition of certain agencies from entering into contracts with collection agencies for certain services; to limit the collection fees and interests agencies may collect; to remove prohibition of certain agencies reporting unpaid fines for parking violations to credit information agencies; to remove prohibition of certain agencies from entering into contracts to provide records of unpaid parking fines to credit information agencies; to authorize certain agencies to contract with consumer reporting agencies for certain services; to remove penalties relative to disclosure of certain information; to limit the information contained in consumer reports for unpaid parking fines; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 300—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 9:1581, relative to the appointment of public administrators for successions in certain parishes; to provide for the appointment and terms of such administrators; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 340—
BY SENATOR IRONS

AN ACT

To enact R.S. 47:303(B)(3)(b)(v), relative to political subdivisions entering into sales and use tax collection agreements; provides that political subdivisions entering into such agreements shall provide the vehicle commissioner with certain information; provides that such information shall be used in connection with the collection of the political subdivision's sales and use taxes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hammett, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 346—

BY SENATORS DARDENNE, SCHEDLER, CAIN, BARHAM, BOISSIERE, CRAVINS, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I), relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 386—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:4751(B), relative to petitioning for name change of adults and minors; to provide for additional venues for filing for name change; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 410—

BY SENATOR LENTINI (On Recommendation of the La Law Institute)

AN ACT

To amend and reenact Title XIII of Book III of the Civil Code formerly consisting of Articles 2926 through 2981, to comprise Articles 2926 through 2951; all relative to deposit, deposit with innkeepers, conventional sequestration, and judicial sequestration; to provide for a definition of deposit; to provide for matters for which no special provision is made; to provide for the nature of the contract of deposit; to provide for the formation of the contract of deposit; to provide for the standard by which a depositary is to fulfill his obligations; to provide for the use of the thing deposited by the depositary; to provide for when the thing deposited is a consumable; to provide for the return of the thing deposited; to provide for when the thing deposited is lost or deteriorated; to provide for the delivery of civil and natural fruits; to provide that the proof of ownership of the thing deposited is not required; to provide for when the thing deposited was a stolen thing; to provide for the place and expense of return; to provide for the time of return; to provide for the retention of the thing deposited by the depositary; to provide for the reimbursement of the depositary; to provide for the obligation of an innkeeper; to provide that an innkeeper is a compensated depositary for things of a guest that are delivered to him; to provide for when a safe is placed in a guest's room; to provide for when the things of a guest are stolen or damaged; to provide for a limitation on the liability of an innkeeper; to provide for the definition of conventional sequestration; to provide for the application of the rules of deposit to conventional sequestration when compatible; to provide for the termination of conventional sequestration by the depositary; to provide for judicial sequestration; to provide for the application of the rules of deposit and conventional sequestration to judicial sequestration when compatible; to provide for the obligations and rights of a judicial depositary; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 458—

BY SENATOR DUPRE

AN ACT

To enact R.S. 9:5167.2, relative to the cancellation of mortgages; to require the mortgagee to cancel the mortgage inscription; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 458 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 3, after "to" and before "the" change "cancel" to "instruct the mortgagor regarding the cancellation of"

AMENDMENT NO. 2

On page 1, at the end of line 7, delete "by mortgagee"

AMENDMENT NO. 3

On page 1, line 11, after the comma ",", delete the remainder of the line and delete lines 12 through 15 in their entirety and insert the following:

"and instructions regarding the cancellation of mortgage inscriptions to the mortgagor or the mortgagor's designated agent within sixty days after the date of receipt of full payment of the balance owed on the debt secured by the mortgage in accordance with a payoff statement. The payoff statement shall be furnished by the mortgagee or its mortgage servicer."

AMENDMENT NO. 4

On page 2, delete lines 1 through 15 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 470—

BY SENATOR HOYT

AN ACT

To enact R.S. 32:387(C)(7) and 388(G), relative to permits; to provide for special oversize load permits; to provide for fines and suspension of operating authority under special oversize load permits for violation of their terms or for falsifying information on permit applications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 470 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 3, after "permits;" and before "to" insert the following:

"to require the payment of fees for special oversize load permits;"

AMENDMENT NO. 2

On page 2, delete line 2 in its entirety

AMENDMENT NO. 3

On page 2, at the beginning of line 3 delete "issuance" and the period "." and insert the following:

"The special permit shall be issued on a per trip basis at a cost of ten dollars per trip, except that if such load is overweight, the permit fee shall be calculated in accordance with Subsection H of this Section."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 497—

BY SENATORS HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 40:1722(B)(2), (3), (4), and (5), and (D), 1723(B), 1727(3), and 1728(A), and to enact R.S. 40:1730.1, and to repeal R.S. 40:1722(C), relative to the state building code; to provide for the building code; to provide for the mechanical code; to provide for the standard electric code; to clarify departmental jurisdictional responsibilities; to provide legislative findings; to provide for adoption of a uniform code; to provide for enforcement; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 497 by Senator Hollis

AMENDMENT NO. 1

On page 3, line 10, following "by" and before "International" insert "the"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 631—

BY SENATOR HOYT

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:141 through 144 relative to cemetery districts; to provide for the creation of a cemetery district in St. Landry Parish; to provide for governing boards of the districts and their powers and duties; to provide for taxation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 794—

BY SENATOR C. JONES

AN ACT

To enact R.S. 51:936.3, relative to economic development; to require participation between certain departments to prioritize certain funding mechanisms for economically depressed zones, communities, and businesses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 809—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 51:2303(11), relative to economic development; to define the term "Louisiana Entrepreneurial Business"; to provide for qualifications; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 818—

BY SENATOR B. JONES (On Recommendation of the La State Law Institute)

AN ACT

To amend and reenact Code of Civil Procedure Arts. 42(5), 561(A), 932, 933, 934, 967, 1201(A), 1424, 1425, 1436.1, 1443, 1455, 1914, and 3295, and Children's Code Art.332, relative to the continuous revision of the Code of Civil Procedure; to provide venue for actions against certain foreign corporations, limited liability companies, and non-residents; to provide for abandonment of actions; to provide for the effect of sustaining declinatory, dilatory, and peremptory exceptions; to provide for citation and service; to provide for interlocutory judgments, notice and delay;

to provide for giving in payment; to provide for experts, discovery and depositions; to provide for affidavits of experts in summary judgments; to remove restrictions on discovery of testifying expert witnesses; to allow a court to order a deposition by phone over objection of one or more parties; to provide deposition procedure; to provide for notice of judgment in the Children's Code and reference therein to the Code of Civil Procedure; and, to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 818 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 3, delete "1443, 1455,"

AMENDMENT NO. 2

On page 2, line 5, delete "1443, 1455,"

AMENDMENT NO. 3

On page 12, delete lines 11 through 28 in their entirety

AMENDMENT NO. 4

Delete pages 13 through 17 in their entirety

AMENDMENT NO. 5

On page 18, delete lines 1 through 3 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 855—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:315(C)(4)(a), relative to the determination of child support; to provide for a gift to be included when determining gross income for the purposes of child support; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 860—BY SENATORS DARDENNE AND SCHEDLER
AN ACT

To amend and reenact Civil Code Art. 1499, relative to the usufruct of a surviving spouse; to provide that security shall not be required in certain cases; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 860 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 8, after "Act" and before "and" change "shall be retroactive" to "are interpretive, procedural, and remedial"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 886—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 9:3541.22(A), relative to home solicitation loan; to prohibit the home solicitation of any person where the loan encumbers the primary residence of the consumer for purposes of home improvements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 888—BY SENATORS DARDENNE, HOLLIS AND JOHNSON
AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3031, relative to economic development; to create the "Louisiana Major Projects Development Authority"; to provide for the composition of the board of directors of the authority; to provide for powers and duties of the authority; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 888 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 3, after "through" and before "relative" change "3031," to "3030,"

AMENDMENT NO. 2

On page 1, line 10, after "through" and before "is" change "3031," to "3030,"

AMENDMENT NO. 3

On page 12, line 9, after "law" and before the period "." insert a comma "," and insert the following:

"however, the authority shall not expropriate any property owned or operated by any entity subject to the jurisdiction of the Louisiana Public Service Commission or a similar body that regulates public utilities, or hydrocarbon transportation companies, except as otherwise provided by law"

AMENDMENT NO. 4

On page 12, line 17, after "reasonable" delete "rates and"

AMENDMENT NO. 5

On page 12, line 19, after "such" delete "rates and" and insert "charges"

AMENDMENT NO. 6

On page 12, line 20, after "such" delete "rates and"

AMENDMENT NO. 7

On page 13, delete lines 11 through 26 and insert "§3030. Severability"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 895—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:924(A), relative to economic development; to provide for membership of the State Board of Commerce and Industry; to provide for terms of office; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 896—

BY SENATORS HOLLIS AND IRONS

AN ACT

To amend and reenact R.S. 36:107(A), 109(J), and 913(B), R.S. 43:111(A)(7), R.S. 47:1125(C) and 6007(B)(5), (D)(1) and (3), and (E), and R.S. 51:938.1(A), (H)(introductory paragraph) and (1), (I), (J)(introductory paragraph), (1), (2), (3)(introductory paragraph), (c), and (d), (6), (7), and (8), and (K), to enact R.S. 51:938.1(H)(3) and (J)(1)(e), and to repeal R.S. 36:108(B)(20) and R.S. 51:938.1(B) through (G), relative to economic development; to provide relative to the Department of Economic Development; to provide for assistant secretaries and duties of offices; to provide for the transfer of certain entities; to provide for advertising; to provide relative to tax relief for motion picture production companies; to provide relative to tax credits for investments in certain productions; to create the governor's office of film and television development; to provide for the office's duties, staff, and authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 896 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 6, following "51:938.1(H)(3) and" and before "and to" change "(J)(1)(e)," to "(J)(3)(e),"

AMENDMENT NO. 2

On page 6, line 4, following "51:938.1(H)(3) and" change "(J)(1)(e)" to "(J)(3)(e)"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 897—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:2311(A)(1) and (2)(a), (b), and (i), (B), (D), and (E) and to repeal R.S. 51:2311(A)(2)(j), relative to economic development; to provide relative to the Louisiana Economic Development Corporation board of directors; to provide for the secretary of the Department of Economic Development; to provide for board appointees; to provide for a quorum of the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 917—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 45:162(2) and 164(C), relative to motor carriers; to provide relative to definitions; to exempt certain carriers from proving public convenience and necessity; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 923—

BY SENATOR HOYT

AN ACT

To amend and reenact Civil Code Arts. 2036 and 2037 and to enact Chapter 7 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2790.1 through 2790.12, all relative to obligations; to provide for the Uniform Fraudulent Transfer Act; to provide for definitions; to provide that certain transfers are fraudulent; to provide for remedies of creditors; to provide for defenses, liability and protection of a transferee; to provide for extinguishment of a cause of action; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 923 by Senator Hoyt

AMENDMENT NO. 1

On page 4, line 5, change "Subparagraph (ii) or" to "Item (ii) of this Subparagraph or Subparagraph"

AMENDMENT NO. 2

On page 4, line 13, change "Subparagraph" to "Item (ii) of this Subparagraph or Subparagraph" and on line 14, delete "(iv) or"

AMENDMENT NO. 3

On page 4, line 23, change "Subparagraph" to "Item"

AMENDMENT NO. 4

On page 4, line 24, following "(iii)" and before the semicolon ";" insert "of this Subparagraph"

AMENDMENT NO. 5

On page 7, line 25, following "to" and before "other" insert a comma ","

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 967—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:943, to enact R.S. 36:4.1(D)(17), and to repeal R.S. 36:109(D)(2), relative to the Small and Emerging Business Development Advisory Council; to change the name to the Small Business Entrepreneurship Commission; to provide for additional members of the commission; to provide for revised and additional functions of the commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 967 by Senator Johnson

AMENDMENT NO. 1

On page 2, between lines 6 and 7, insert asterisks " * * * "

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 973—
BY SENATORS BOISSIERE, BAOIE AND IRONS AND REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 48:1655(A)(1)(c), relative to the Regional Transit Authority; to provide for appointments to the board of commissioners; to allow the chief executive officer of the parish with the greatest percentage of public transit revenue to make certain appointments; to allow for legislative input in such appointments; to provide a time frame for such input; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 989—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and 3 and (I)(4) and (5) and 1299.47 (A)(1), (2)(b) and (c), and (3) and (I)(2) and (3) and to enact R.S. 40:1299.39.1(I)(6) and 1299.47(A)(2)(d)

and (I)(4), relative to the medical review panel; to provide that each request include specific and particularized allegations of malpractice as to each named defendant health care provider; to require that the claimant pay a filing fee per named defendant which shall be waived in certain conditions; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for payment of the medical review panel costs; to provide for refund of the filing fee under certain conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 989 by Senator Hines

AMENDMENT NO. 1

On page 2, line 15, delete "a"

AMENDMENT NO. 2

On page 2, lines 16 and 17, change "names(s)" to "name(s)"

AMENDMENT NO. 3

On page 2, lines 19 and 21, before "brief" insert "a"

AMENDMENT NO. 4

On page 3, line 18, following "suspend" and before "time" insert "the"

AMENDMENT NO. 5

On page 7, line 16, delete "a"

AMENDMENT NO. 6

On page 7, lines 17 and 18, change "names(s)" to "name(s)"

AMENDMENT NO. 7

On page 7, lines 20 and 22, before "brief" insert "a"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1025—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:99.12(A), relative to the sale of tobacco assets; to provide for the sale of certain assets; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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Reported without amendments by the Legislative Bureau.

On motion of Rep. LeBlanc, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1046— BY SENATOR B. JONES

AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:135 through 135.7, relative to expropriation; to authorize expropriation of property by a declaration of taking by municipalities with a population between twenty thousand five hundred twenty-five and twenty thousand five hundred fifty; to provide for definitions; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1081— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to delete the minimum sixty-one day grace period; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1095— BY SENATOR JOHNSON

AN ACT

To enact R.S. 48:57 and Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:109.1, relative to roads and highways; to authorize appointment of certain traffic control officers; to provide for the powers and duties of such officers; to create the Eastern New Orleans Interstate Oversight Commission; to provide for appointment of members, terms, and duties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 1095 by Senator Johnson

AMENDMENT NO. 1

On page 3, delete lines 24 through 26 in their entirety and on page 4, delete line 1 in its entirety

AMENDMENT NO. 2

On page 4, at the beginning of line 2, change "(5)" to "(4)"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1095 by Senator Johnson

AMENDMENT NO. 1

On page 4, line 8, following "shall" and before "the" change "deprive" to "prevent"

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 139— BY REPRESENTATIVES WINSTON AND FAUCHEUX A CONCURRENT RESOLUTION

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on the family law topics of child custody and child support guidelines.

Read by title.

On motion of Rep. Winston, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 127— BY REPRESENTATIVES WINSTON, CROWE, SCHNEIDER, AND STRAIN AND SENATORS SCHEDLER AND THOMAS A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Transportation and Development to give certain notice regarding changes to the highway priority program and to expand the number and scope of capacity projects in the priority program.

Read by title.

On motion of Rep. Winston, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 144—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To create the Sabine River Authority Conservation Pool Level Advisory Council to study the issues and concerns relative to the establishment of a conservation pool level and prohibition of hydroelectric power generation by the Sabine River Authority at Toledo Bend Reservoir under certain circumstances.

Read by title.

Rep. Salter moved the adoption of the resolution.

By a vote of 86 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVE MORRELL

A RESOLUTION

To adopt House Rule 6.4(E) of the Rules of Order of the House of Representatives to allow an elected member of the Committee on Appropriations to appoint a designee under certain circumstances and to provide for related matters.

Read by title.

Motion

On motion of Rep. Morrell, the resolution was returned to the calendar.

HOUSE RESOLUTION NO. 25—

BY REPRESENTATIVE TRICHE

A RESOLUTION

To amend and readopt House Rules 6.4(A) and (B) of the Rules of Order of the House of Representatives to provide for the composition of the Committee on Appropriations.

Read by title.

Rep. Triche moved the adoption of the resolution.

Rep. LeBlanc objected.

By a vote of 18 yeas and 73 nays, the resolution was rejected.

Suspension of the Rules

On motion of Rep. Montgomery, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Southern University and Agricultural and Mechanical College to use land on the campus of Southern University at New Orleans solely for education purposes.

Read by title.

Motion

On motion of Rep. Morrell, the resolution was returned to the calendar.

HOUSE RESOLUTION NO. 73—

BY REPRESENTATIVE MURRAY

A RESOLUTION

To adopt House Rule 6.8(H) of the Rules of Order of the House of Representatives, to provide for recommittal of bills that provide exceptions to public records laws.

Read by title.

Rep. Murray moved the adoption of the resolution.

By a vote of 67 yeas and 25 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To direct the Louisiana Oyster Task Force to form a committee to examine issues related to the future of the development of the oyster industry in Louisiana and to report its recommendations to the legislature.

Read by title.

Rep. Odinet moved the adoption of the resolution.

By a vote of 97 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 1—

BY REPRESENTATIVE HUTTER

A RESOLUTION

To create the District 104 Florida Avenue Bridge Citizen Task Force to monitor progress on the Florida Avenue Bridge, a TIMED project, and to inform local residents regarding such progress; and to provide for related matters.

Read by title.

Rep. Hutter moved the adoption of the resolution.

By a vote of 97 yeas and 0 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 149—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study funding sources for the Lengthy Trial Fund created by House Bill No. 2008 of the 2003 Regular Session in the event that this legislation is subsequently passed and enacted into law.

Read by title.

On motion of Rep. Ansardi, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study the implementation of a one-day, one-trial system for petit juries.

Read by title.

On motion of Rep. Ansardi, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support the President's agenda on legal reform.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Concurrent Resolution No. 3 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 3, before the period "." insert the following:

"and to enact meaningful prescription drug coverage for seniors"

AMENDMENT NO. 2

On page 2, line 3, change the period "." to "; and"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"WHEREAS, senior citizens are having difficulty paying for their needed drugs."

AMENDMENT NO. 4

On page 2, line 7, before the period "." insert "and a meaningful prescription drug program for seniors"

On motion of Rep. Alario, the amendments were adopted.

Rep. Schneider moved the adoption of the resolution, as amended.

Rep. Robert Carter objected.

By a vote of 44 yeas and 52 nays, the resolution, as amended, was rejected.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To direct the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to study the reason why the increase in the price of gasoline has been greater than the increase in the price of crude oil for the first three months of 2003.

Read by title.

Motion

On motion of Rep. Morrell, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVES BOWLER AND CAPELLA

A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute study certain aspects of laws related to immovable property, land titles, and trust property.

Read by title.

On motion of Rep. Bowler, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 84—

BY REPRESENTATIVES TRICHE AND CAZAYOUX

A RESOLUTION

To urge the House of Representatives to not approve funding for the construction of a new stadium located in the city of New Orleans for the National Football League team known as the New Orleans Saints.

Read by title.

Rep. Triche moved the adoption of the resolution.

Rep. Landrieu objected.

By a vote of 50 yeas and 44 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To urge and request the House and Senate Transportation, Highways and Public Works Committees to study transportation coordination and efficiency within the Port of New Orleans and to work with representatives from the state and private industries to make recommendations to improve transportation coordination and efficiency, and to report its findings to the legislature prior to January 1, 2004.

Read by title.

On motion of Rep. Diez, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 198—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study the feasibility of lowering the minimum monetary amount in controversy required for a trial by jury and to report its findings and recommendations to the legislature prior to the convening of the 2004 Regular Session.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Concurrent Resolution No. 198 by Representative Johns

AMENDMENT NO. 1

On page 1, at the beginning of line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 10, after "RESOLVED" delete the remainder of the line and insert "that the Legislature of Louisiana urges and requests"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Johns, the resolution, as amended, was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

Acting Speaker Jane Smith in the Chair

SENATE BILL NO. 565—

BY SENATORS IRONS, HAINKEL AND BAJOE

AN ACT

To amend and reenact R.S. 9:242 and 243, relative to marriage; to provide that certain officiants in Orleans Parish may waive the seventy-two hour delay for marriages; to provide relative to penalties; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Townsend, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Townsend sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 565 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, before the comma ",," insert "and to enact R.S. 9:203(E)" and on the same line, after "relative to" change "marriage" to "non-resident marriages"

AMENDMENT NO. 2

On page 1, line 4, after "delay for" insert "non-resident" and on the same line, after "penalties;" and before "and" insert the following:

"to authorize federal judges whose official duty station includes certain municipalities to perform marriage ceremonies."

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" and before "to" insert "and R.S. 9:203(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§203. Officiant; judges and justices of the peace

* * *

E. A judge of a court of the United States whose official duty station includes a municipality having a population in excess of forty thousand but less than fifty thousand persons according to the latest decennial census or a municipality having a population in excess of two hundred and fifteen thousand but less than two hundred and thirty-five thousand persons according to the latest decennial census may perform marriage ceremonies in the municipality located within his official duty station. For purposes of this Subsection, "judge" and "official duty station" have the same meaning as provided in 28 U.S.C. 451 and 456, respectively. The authority granted by this Subsection shall terminate on December 31, 2003.

* * *

AMENDMENT NO. 5

On page 2, line 4, after "delay" , insert "for non-resident parties"

AMENDMENT NO. 6

On page 2, at the end of line 7, add the following:

" For purposes of this Subsection, "non-resident" shall mean a person domiciled or residing in a jurisdiction other than the state of Louisiana."

AMENDMENT NO. 7

On page 2, after line 15, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Townsend, the amendments were adopted.

Speaker DeWitt in the Chair

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Peychaud
Alario	Guillory	Pierre
Arnold	Hammett	Pinac
Baldone	Heaton	Pitre
Baylor	Hebert	Powell
Broome	Hill	Quezaire
Bruce	Honey	Richmond
Bruneau	Hudson	Romero
Capella	Hunter	Salter
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kenney	Stelly
Dartez	LaFleur	Strain
Diez	Landrieu	Swilling
Durand	LeBlanc	Thompson
Farrar	McVea	Townsend
Faucheux	Montgomery	Triche
Frith	Morrell	Welch
Futrell	Murray	Wright

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Gallot
Glover
Total—70

Odinot
Perkins

NAYS

Ansardi
Beard
Bowler
Crane
Daniel
Devallier
Downs
Fannin
Total—23

Fruge
Hutter
Lucas
Martiny
Morrish
Nevers
Scalise
Schneider

Shaw
Toomy
Tucker
Waddell
Walker
Walsworth
Winston

ABSENT

Alexander
Baudoin
Doerge
Downer
Total—12

Erdey
Flavin
Hopkins
Kennard

Lancaster
McDonald
Sneed
Wooton

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 551—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 9:2772(A) and (C) and to repeal R.S. 9:2772(D), relative to preemptive periods for filing actions involving deficiencies in surveying, design, supervision, or construction of immovables; to provide for periods within which to file certain actions; to repeal obsolete provision relative to prescription of actions; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 551 by Representative Hammett

AMENDMENT NO. 1

On page 2, lines 19 and 20, following "defined in" change "the first paragraph of R.S. 37:682(9)" to "R.S. 37:682(11)(a)"

On motion of Rep. Salter, the amendments were adopted.

Rep. Hammett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devallier
Diez
Doerge
Downer
Downs
Durand
Fannin
Farrar
Faucheux
Flavin
Total—99

Frith
Fruge
Futrell
Gallot
Glover
Green
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray

Nevers
Odinot
Perkins
Peychaud
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wright

NAYS

Total—0

ABSENT

Erdey
Guillory
Total—6

Lancaster
Pierre

Sneed
Wooton

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 558—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

Read by title.

Rep. Pierre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wright
Flavin	Odinot	
Total—98		

NAYS

Total—0

ABSENT

Erdey	LaFleur	Wooton
Guillory	McVea	
Kennard	Sneed	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pierre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 862—

BY REPRESENTATIVES ALARIO AND DANIEL
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to authorize an increase in the annual compensation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Morrish
Alario	Glover	Murray
Ansardi	Green	Nevers
Arnold	Hammett	Odinot
Baldone	Heaton	Pinac
Baylor	Hebert	Pitre
Bowler	Hill	Quezaire
Broome	Honey	Richmond
Bruce	Hopkins	Romero
Bruneau	Hudson	Salter
Carter, K	Hunter	Scalise
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Durand	Martiny	Triche
Farrar	McDonald	Waddell
Faucheux	Montgomery	Walker
Frith	Morrell	Welch
Total—72		

NAYS

Alexander	Guillory	Schwegmann
Baudoin	Katz	Shaw
Crane	McVea	Stelly
Downer	Pierre	Walsworth
Downs	Powell	Winston
Futrell	Schneider	
Total—17		

ABSENT

Beard	Fruge	Sneed
Capella	Iles	Tucker
Doerge	Johns	Wooton
Erdey	Kennard	Wright
Fannin	Perkins	
Flavin	Peychaud	
Total—16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 881—

BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Louis Merhige v. Board of Commissioners for the East Jefferson Levee District, C. "Bud" Taulli Construction Company, Inc., Manual Anaya, The Transportation Insurance Company, Parish of

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Jefferson, and the Department of Transportation and Development, State of Louisiana"; to pay the judgment in "Yvonne Updegraff v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Nevers
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wright
Total—99		

NAYS

Total—0

ABSENT

Erdey	Hunter	Sneed
Früge	Odinet	Wooton
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE TOWNSEND

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development, Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al"; to provide for interest; to provide for costs; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch

Flavin	Morrish	Winston
Frith	Murray	Wright
Futrell	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Baylor	Fruge	Wooton
Doerge	Psychaud	
Erdey	Sneed	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1370—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 39:330(B)(2), relative to state surplus property; to provide for storage and sale of surplus property in the possession of the commissioner of administration; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Downs moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Nevers
Alario	Glover	Odinot
Alexander	Green	Perkins
Ansardi	Hammett	Psychaud
Arnold	Heaton	Pierre
Baldone	Hebert	Pinac
Baylor	Hill	Pitre
Broome	Honey	Powell
Bruce	Hopkins	Quezaire
Bruneau	Hudson	Richmond
Carter, K	Hunter	Romero
Carter, R	Hutter	Salter
Cazayoux	Iles	Schneider
Crane	Jackson, L	Schwegmann
Crowe	Jackson, M	Shaw
Curtis	Johns	Smith, G.—56th
Damico	Katz	Smith, J.H.—8th
Daniel	Kennard	Smith, J.R.—30th
Dartez	Kenney	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Fannin	McDonald	Triche
Farrar	McVea	Tucker
Faucheux	Montgomery	Walker
Flavin	Morrell	Walsworth
Frith	Morrish	Welch
Futrell	Murray	Wright

Total—87

NAYS

Durand
Fruge
Total—4

Scalise
Winston

ABSENT

Baudoin	Erdey	Sneed
Beard	Guillory	Swilling
Bowler	LaFleur	Waddell
Capella	Martiny	Wooton
Doerge	Smith, J.D.—50th	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1403—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 39:128(B)(4), relative to the state capital construction budget; to provide for exemptions from inclusion in the budget for certain projects undertaken by or on the campus of a state college, university, or higher education facility; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Psychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker

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Durand	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Nevers	
Total—100		

NAYS

Total—0

ABSENT

Erdey	Romero	Wooton
Futrell	Sneed	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES WELCH, CAZAYOUX, GALLOT, GLOVER, GUILLORY, L. JACKSON, M. JACKSON, KENNEY, LUCAS, MURRAY, TOWNSEND, AND WRIGHT AND SENATORS IRONS AND TARVER
AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191, relative to state funds; to establish the Community-based Primary Health Care Initiative Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; to provide for grants from the fund to community health centers for operations and various community health programs and other purposes; to create the Community-based Primary Health Care Initiative within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Welch moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Devillier	Lancaster	Swilling

Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wright
Frith	Murray	
Fruge	Nevers	
Total—94		

NAYS

Total—0

ABSENT

Ansardi	Hebert	Tucker
Bowler	Katz	Walsworth
Dartez	Peychaud	Wooton
Erdey	Sneed	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Welch moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1700—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 33:9022(5), 9023(H), 9024(A), (B)(introductory paragraph) and (3), (D)(3) and (4), and (E)(1) and (2), 9029.2(A)(1), 9035(introductory paragraph), (5), and (7), to enact R.S. 33:9022(7) and (8) and 9023.1, and to repeal R.S. 33:9024(E)(3), relative to economic development; to provide for definitions; to provide for approval of an application; to provide for the consolidation of efforts; to provide relative to the incorporation of private nonprofit economic development corporations and their powers; to provide relative to cooperative endeavor agreements; to provide relative to costs of an economic development project incurred by local government; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 1700 by Representative Downer

AMENDMENT NO. 1

On page 5, at the end of line 12 insert "not to exceed state reimbursement regulations"

AMENDMENT NO. 2

On page 5, line 25, after "law" delete the remainder of the line and insert a comma "," and "public records law, and public bid law."

Rep. Downer asked for and obtained a division of the question.

On motion of Rep. Alario, Amendment No. 1 was adopted.

Rep. Alario moved adoption of Amendment No. 2.

Rep. Downer objected.

By a vote of 67 yeas and 26 nays, the amendment was adopted.

Rep. Downer moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Futrell	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Hammett	Romero
Baldone	Heaton	Salter
Beard	Hill	Scalise
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Faucheux	Morrish	
Flavin	Nevers	
Total—79		

NAYS

Baylor	Jackson, L	Richmond
Bowler	Jackson, M	Schneider
Broome	Murray	Swilling
Carter, K	Peychaud	Welch
Guillory	Pierre	
Honey	Quezaire	
Total—16		

ABSENT

Baudoin	Gallot	Sneed
Dartez	Hebert	Wooton
Erdey	Lancaster	
Früge	Perkins	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1909—

BY REPRESENTATIVE BAYLOR

AN ACT

To authorize the state of Louisiana to redirect certain payments due to the state from the city of Shreveport for the purposes of the further economic development of the Shreveport Regional Airport under certain circumstances; and to provide for related matters.

Read by title.

Rep. Baylor moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baylor	Hammett	Powell
Beard	Heaton	Quezaire
Bowler	Hill	Richmond
Bruce	Honey	Romero
Bruneau	Hopkins	Salter
Capella	Hudson	Scalise
Carter, K	Hunter	Schneider
Carter, R	Hutter	Schwegmann
Cazayoux	Iles	Shaw
Crane	Jackson, L	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Curtis	Kenney	Smith, J.H.—8th
Damico	LaFleur	Smith, J.R.—30th
Daniel	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Downer	Martiny	Toomy
Downs	McDonald	Townsend
Durand	Montgomery	Tucker
Fannin	Morrell	Waddell
Farrar	Morrish	Walker
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinet	Wright
Total—90		

NAYS

Alexander
Total—1

ABSENT

Baudoin	Hebert	Sneed
Broome	Jackson, M	Triche
Dartez	Katz	Walsworth
Erdey	Kennard	Wooton
Früge	McVea	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baylor moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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HOUSE BILL NO. 1949—

BY REPRESENTATIVE PEYCHAUD
AN ACT

To amend and reenact R.S. 40:600.4(A)(1) and (3)(introductory paragraph) and (D) and 600.5(B) and (F), to enact R.S. 40:600.6(A)(4)(b)(vi), (vii), (viii), (ix), and (x), and to repeal R.S. 40:600.4(A)(3)(c), relative to the Louisiana Housing Finance Agency, to provide relative to the board of commissioners; to change the composition of the board of commissioners; to provide for the quorum of the board; to provide relative to participation in certain actions by commissioners and employees; to provide relative to the applicability of the Administrative Procedure Act to certain rules and regulations of the agency; and to provide for related matters.

Read by title.

Rep. Peychaud sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peychaud to Engrossed House Bill No. 1949 by Representative Peychaud

AMENDMENT NO. 1

On page 5, delete lines 9 through 13 in their entirety

AMENDMENT NO. 2

On page 1, line 4, after "(viii)," insert "and" and after "(ix)" delete the comma "," and "and (x)"

AMENDMENT NO. 3

On page 1, line 15, after "(viii)," insert "and" and after "(ix)" delete the comma "," and "and (x)"

On motion of Rep. Peychaud, the amendments were adopted.

Rep. Peychaud moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Bruce	Hebert	Richmond
Bruneau	Hill	Romero
Capella	Honey	Salter
Carter, K	Hopkins	Scalise
Carter, R	Hudson	Schwegmann
Cazayoux	Hunter	Shaw
Crane	Hutter	Smith, G.—56th
Crowe	Iles	Smith, J.D.—50th
Curtis	Jackson, L	Smith, J.H.—8th
Damico	Johns	Stelly
Dartez	Katz	Strain
Devillier	Kenney	Swilling
Diez	LaFleur	Thompson

Doerge	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	McDonald	Tucker
Fannin	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrell	Welch
Flavin	Murray	Winston
Frith	Nevers	Wright
Total—90		

NAYS

Bowler	Martiny	Schneider
Total—3		

ABSENT

Beard	Jackson, M	Smith, J.R.—30th
Broome	Kennard	Sneed
Daniel	Lancaster	Walsworth
Erdey	Morrish	Wooton
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Peychaud moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1974—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact Chapter 45 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2751 through 2760, relative to economic development; to create the Louisiana Retention and Modernization Program; to provide for incentive rebates to certain businesses to remain in Louisiana which are at high risk for relocation to another state; to provide incentive rebates to certain businesses which modernize their existing operations in this state; to provide for criminal penalties; to provide for rules and regulations; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1974 by Representative Hammett

AMENDMENT NO. 1

On page 8, line 14, following "individual" and before "in" insert "is"

AMENDMENT NO. 2

On page 10, line 9, change "47:2752(A)(1)" to "51:2753(A)(1)"

On motion of Rep. Salter, the amendments were adopted.

Motion

On motion of Rep. Hammett, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 2002—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 45:858, relative to carriers; to provide that an owner of goods, products, or commodities is not automatically an offeror; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kennard	Swilling
Dartez	Kenney	Thompson
Devillier	LaFleur	Toomy
Diez	Lancaster	Townsend
Doerge	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Lucas	Waddell
Durand	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wright
Flavin	Murray	
Frith	Nevers	
Total—97		

NAYS

Total—0

ABSENT

Daniel	Morrish	Walsworth
Erdey	Richmond	Wooton
Martiny	Sneed	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 804—

BY REPRESENTATIVES PSYCHAUD AND MURRAY

AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; to provide for related matters.

Called from the calendar.

Read by title.

Rep. Psychaud sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Psychaud to Engrossed House Bill No. 804 by Representative Psychaud

AMENDMENT NO. 1

Delete House Floor Amendment No. 1 proposed by Representative Psychaud and adopted by the House of Representatives on April 23, 2003.

AMENDMENT NO. 2

On page 1, line 14, after "any" delete the remainder of the line and delete lines 15 through 19 in their entirety

AMENDMENT NO. 3

On page 2, delete lines 1 through 20 in their entirety and insert in lieu thereof the following:

"object produced or shaped by human workmanship or tools that is an element of structural, architectural, archaeological, historical, ornamental, cultural, utilitarian, decorative, or sentimental significance or interest, which has been and may be used as an adjunct to or component or ornament of any building or structure, regardless of monetary worth, age, size, shape, or condition, that is immovable property or fixture, including but not limited to bricks, siding, gutters, downspouts, lightning rods, chimney roofs, lights, chandeliers, stoves, tubs, sinks, faucets, faucet handles, toilets, bidets, showers, fans, furnaces, air conditioners, water heaters, sprinkling systems, shelving, countertops, cabinets, built-in speakers, shutters, trim, rafters, roof tiles, roofing, studs, foundation, barge boards, paneling, stairs, risers, banisters, wiring, plumbing, hinges, door latches, door knobs, medallions, mantles, flooring, carpet, tiles, molding, wainscoting, pavers, doors, windows, sills, transoms, joists, mailboxes, signage, fountains, decking, gates, fences, planters, landscaping, plantings or portions thereof, or component parts of immovable property of any nature or kind whatsoever.

C. (1) Whoever commits the crime of theft of a used building component when the misappropriation or taking amounts to a value or replacement value, whichever is greater, of less than three hundred dollars, the offender shall be imprisoned for not more than one year, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft of a used building component two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.

(2) When the misappropriation or taking amounts to a value or replacement value, whichever is greater, of three hundred dollars or more, but less than a value of five hundred dollars, the offender shall be

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imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.

(3) When the misappropriation or taking amounts to a value or replacement value, whichever is greater, of five hundred dollars or more, the offender shall be imprisoned, with or without hard labor, for not more than twelve years, or may be fined not more than five thousand dollars, or both."

On motion of Rep. Psychaud, the amendments were adopted.

Rep. Psychaud moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Morrell
Alexander	Green	Murray
Ansardi	Guillory	Odinot
Arnold	Hammitt	Psychaud
Baylor	Heaton	Pierre
Beard	Hill	Pinac
Broome	Honey	Quezaire
Bruce	Hudson	Richmond
Carter, K	Hunter	Romero
Cazayoux	Hutter	Salter
Crane	Iles	Schwegmann
Damico	Jackson, L	Shaw
Daniel	Jackson, M	Smith, G.—56th
Diez	Johns	Smith, J.D.—50th
Downs	Landrieu	Smith, J.H.—8th
Durand	LeBlanc	Strain
Farrar	Lucas	Swilling
Faucheux	McDonald	Toomy
Frith	McVea	Waddell
Gallot	Montgomery	Welch
Total—60		

NAYS

Alario	Futrell	Scalise
Baldone	Hebert	Schneider
Bowler	Katz	Townsend
Bruneau	Kenney	Triche
Capella	LaFleur	Tucker
Carter, R	Martiny	Walker
Crowe	Morrish	Walsworth
Curtis	Nevers	Winston
Erdey	Perkins	Wright
Fannin	Pitre	
Fruge	Powell	
Total—31		

ABSENT

Baudoin	Flavin	Sneed
Dartez	Hopkins	Stelly
Devillier	Kennard	Thompson
Doerge	Lancaster	Wooton
Downer	Smith, J.R.—30th	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Psychaud moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 713—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 32:295(A), (B)(2), (C), and (D) and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Bowler sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 713 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, change "and (D)" to "(D), and (H)"

AMENDMENT NO. 2

On page 1, line 3, after "32:295(B)(3)" insert a comma "," and change "and (I)," to "(I), and (J),"

AMENDMENT NO. 3

On page 1, line 6, after "activated;" insert "to provide relative to the nature of certain violations; to provide relative to penalties;"

AMENDMENT NO. 4

On page 1, line 9, change "and (D)" to "(D), and (H)"

AMENDMENT NO. 5

On page 1, line 10, after "32:295(B)(3)" insert a comma "," and change "and (I)," to "(I), and (J)"

AMENDMENT NO. 6

On page 4, between lines 6 and 7, insert the following:

"H. A violation of this Section involving failure to secure a child in any type of child restraint system shall be a primary offense. However, failure to secure a child in the age- or size-appropriate restraint, as specified by Subsection A of this Section, shall be a secondary offense and a driver may be cited only if stopped for a moving violation.

I.(1) ~~Any~~ Except as provided by Paragraph (2) of this Subsection, any person who violates this Section shall upon conviction be fined fifty dollars for a first offense, one hundred dollars for a second offense, and one hundred dollars plus all costs of court for a third or subsequent offense. In addition to the fine, the license of a defendant in violation of this Section shall be confiscated and driving privileges suspended until such time as satisfactory proof is presented to the court that the defendant has acquired an approved age- or size-appropriate passenger restraint system where applicable.

(2) Any person who violates this Section but whose violation is limited to failure to utilize an age- or size-appropriate child restraint

system to secure an otherwise restrained child shall not be fined more than twenty-five dollars including fees and court costs."

AMENDMENT NO. 7

On page 4, at the beginning of line 7, change "L" to "I."

On motion of Rep. Bowler, the amendments were adopted.

Rep. Hutter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Erdey	Murray
Alexander	Fannin	Nevers
Ansardi	Faucheux	Odinot
Arnold	Flavin	Peychaud
Baldone	Gallot	Pierre
Baudoin	Glover	Pitre
Baylor	Green	Powell
Beard	Guillory	Quezaire
Broome	Hammett	Richmond
Bruce	Heaton	Romero
Bruneau	Hebert	Salter
Capella	Honey	Schneider
Carter, R	Hudson	Schwegmann
Cazayoux	Hunter	Shaw
Crane	Hutter	Smith, J.H.—8th
Curtis	Jackson, L	Smith, J.R.—30th
Damico	Jackson, M	Strain
Daniel	Johns	Swilling
Dartez	Landrieu	Townsend
Diez	Martiny	Tucker
Doerge	McDonald	Waddell
Downer	Montgomery	Walker
Downs	Morrell	Welch
Total—69		

NAYS

Mr. Speaker	Katz	Scalise
Bowler	Kennard	Smith, G.—56th
Carter, K	Kenney	Smith, J.D.—50th
Crowe	Lancaster	Thompson
Durand	LeBlanc	Toomy
Frith	McVea	Triche
Frige	Morrish	Walsworth
Futrell	Perkins	Winston
Iles	Pinac	Wright
Total—27		

ABSENT

Devillier	Hopkins	Sneed
Farrar	LaFleur	Stelly
Hill	Lucas	Wooton
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 1105—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact Children's Code Article 896(G), relative to deferred disposition agreements in juvenile delinquency proceedings; to authorize the court to utilize or initiate a teen or youth court program; to authorize assessment of fees; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Landrieu moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wright
Frith	Odinot	
Frige	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Bruce	Hill	Wooton
Flavin	Iles	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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Rep. Landrieu moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1817—

BY REPRESENTATIVES ODINET, RICHMOND, AND SWILLING
AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Rep. Odinet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Durand	Lucas	Triche
Erdey	Martiny	Waddell
Fannin	McDonald	Walker
Farrar	McVea	Walsworth
Fauchoux	Montgomery	Welch
Flavin	Morrell	Winston
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinot	
Total—97		

NAYS

Total—0

ABSENT

Baldone	Downs	Tucker
Carter, R	Morrish	Wooton
Doerge	Psychaud	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1876—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and to enact R.S. 30:2532(B)(3), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the Keep Louisiana Beautiful Fund; to provide relative to the use of such funds; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Karen Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Karen Carter to Engrossed House Bill No. 1876 by Representative Karen Carter

AMENDMENT NO. 1

On page 1, line 4, after "enact R.S." change "30:2532(B)(3)," to "30:2511(D),"

AMENDMENT NO. 2

On page 1, line 6, delete "Keep Louisiana Beautiful" and on line 7, delete "Fund;" and insert "the office of environmental education;"

AMENDMENT NO. 3

On page 1, line 10, after "R.S." change "30:2532(B)(3)" to "30:2511(D)"

AMENDMENT NO. 4

On page 1, delete lines 11 through 14 and insert the following:

"§2511. Louisiana Environmental Education Fund"

AMENDMENT NO. 5

On page 1, at the beginning of line 16, change "(3)" to "D."

AMENDMENT NO. 6

On page 2, line 1, after "into the" delete the remainder of the line delete lines 2 through 5 and insert the following:

"Louisiana Environmental Education Fund and shall be used for public service announcements and for the education and training of drivers of motor vehicles regarding littering or to finance local littering enforcement activities in order to promote public safety, order, and general welfare by making the streets, roads, and highways of Louisiana clean, safe, and free of debris, litter, and other material falling from or being thrown from motor vehicles by drivers operating such motor vehicles using such streets, roads, and highways. These funds"

AMENDMENT NO. 7

On page 2, at the end of line 7, change "Section." to "office."

AMENDMENT NO. 8

On page 2, line 22, after "to the" delete the remainder of the line and delete line 23 and insert "office of environmental education."

AMENDMENT NO. 9

On page 3, line 6, after "to the" delete the remainder of the line and delete line 7 and insert "office of environmental education."

AMENDMENT NO. 10

On page 3, line 16, after "to the" delete "Keep" and delete line 17 and insert "office of environmental education."

AMENDMENT NO. 11

On page 4, line 1, after "to the" delete the remainder of the line and delete line 2 and insert "office of environmental education."

AMENDMENT NO. 12

On page 4, line 11, after "to the" delete the remainder of the line and delete line 12 and insert "office of environmental education."

AMENDMENT NO. 13

On page 4, line 21, after "to the" delete "Keep" and delete line 22 and insert "office of environmental education."

AMENDMENT NO. 14

On page 5, line 14, after "to the" delete the remainder of the line and delete line 15 and insert "office of environmental education."

AMENDMENT NO. 15

On page 6, delete line 4, and insert "office of environmental education."

AMENDMENT NO. 16

On page 6, delete line 18, and insert "the office of environmental education."

AMENDMENT NO. 17

On page 7, line 8, after "to the" delete "Keep" and delete line 9 and insert "office of environmental education."

On motion of Rep. Karen Carter, the amendments were adopted.

Rep. Hutter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Engrossed House Bill No. 1876 by Representative Karen Carter

AMENDMENT NO. 1

On page 2, line at the beginning of line 6, insert

"shall be distributed equally among the five Louisiana Public Service Commission districts and"

On motion of Rep. Hutter, the amendments were adopted.

Rep. Bowler sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 1876 by Representative Karen Carter

AMENDMENT NO. 1

On page 1, line 7, after "funds;" and before "and" insert the following:

"to provide for an effective date;"

AMENDMENT NO. 2

On page 7, after line 10, insert the following:

"Section 3. The provisions of this Act shall cease to be effective on August 15, 2007."

On motion of Rep. Bowler, the amendments were adopted.

Rep. Karen Carter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Peychaud
Alario	Green	Pierre
Ansardi	Hammett	Pinac
Arnold	Heaton	Pitre
Baldone	Hebert	Powell
Baylor	Honey	Quezaire
Broome	Hudson	Richmond
Bruneau	Hunter	Salter
Carter, K	Hutter	Schwegmann
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Kenney	Stelly
Dartez	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Downs	McVea	Townsend
Durand	Montgomery	Tucker
Faucheux	Morrell	Waddell
Flavin	Morrish	Welch
Frith	Murray	
Gallot	Nevers	
Total—64		

NAYS

Baudoin	Guillory	Scalise
Beard	Hill	Schneider
Bowler	Hopkins	Shaw
Capella	Iles	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	LaFleur	Toomy
Erdey	Martiny	Triche
Fannin	McDonald	Walker
Farrar	Odinet	Winston
Fruge	Perkins	Wright
Futrell	Romero	
Total—32		

ABSENT

Alexander	Devillier	Lancaster
Bruce	Downer	Walsworth
Daniel	Katz	Wooton

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Total—9

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

Suspension of the Rules

On motion of Rep. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 1987—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 15:831(A), relative to medical care of inmates; to prohibit the use of state funds for medical costs associated with organ transplants; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 1987 by Representative Scalise

AMENDMENT NO. 1

In House Floor Amendment No. 3, proposed by Representative Hopkins and adopted by the House on June 4, 2003, at the end of the amendment insert "For purposes of the prohibition against the use of state general or dedicated funds for organ transplants, "inmate" shall mean an individual who has been committed to the department for confinement for the crime of first or second degree murder."

On motion of Rep. Alario, the amendments were adopted.

Rep. Lucas sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 1987 by Representative Scalise

AMENDMENT NO. 1

On page 2, at the end of line 6, insert "An inmate's organs may not be used for anyone's organ transplant."

Rep. Lucas moved the adoption of the amendments.

Rep. Scalise objected.

By a vote of 23 yeas and 70 nays, the amendments were rejected.

Rep. Gallot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed House Bill No. 1987 by Representative Scalise

AMENDMENT NO. 1

In House Floor Amendment No. 1 proposed by Representative Alario and adopted by the House on June 5, 2003, on line 7, after "murder" and before the period "," insert "and has exhausted all state and federal appellate and post conviction relief remedies"

Rep. Gallot moved the adoption of the amendments.

Rep. Scalise objected.

By a vote of 72 yeas and 30 nays, the amendments were adopted.

Rep. Scalise moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Powell
Alario	Fruge	Salter
Alexander	Futrell	Scalise
Ansardi	Hammett	Schneider
Arnold	Hebert	Schwegmann
Baldone	Hopkins	Shaw
Baudoin	Hudson	Smith, G.—56th
Beard	Hutter	Smith, J.D.—50th
Bowler	Iles	Smith, J.H.—8th
Bruce	Johns	Smith, J.R.—30th
Bruneau	Katz	Sneed
Capella	Kennard	Stelly
Carter, R	Kenney	Strain
Cazayoux	Lancaster	Thompson
Crane	Landrieu	Toomy
Crowe	LeBlanc	Triche
Damico	Martiny	Tucker
Dartez	McDonald	Waddell
Diez	McVea	Walker
Downs	Morrish	Walsworth
Durand	Nevers	Winston
Erdey	Perkins	Wright
Farrar	Pinac	
Flavin	Pitre	
Total—70		

NAYS

Baylor	Heaton	Peychaud
Broome	Honey	Pierre
Carter, K	Hunter	Quezaire
Curtis	Jackson, L	Richmond
Faucheux	Jackson, M	Romero
Gallot	Lucas	Swilling
Glover	Morrell	Welch
Green	Murray	
Guillory	Odinet	
Total—25		

ABSENT

Daniel	Fannin	Townsend
Devillier	Hill	Wooton
Doerge	LaFleur	
Downer	Montgomery	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Scalise moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 500— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C), 2116(D), and 2116.32(F)(2), and to enact R.S. 40:1300.143(3)(a)(viii) and (c), relative to moratoria on the licensing of mental health clinics and centers, long-term care hospital facilities, nursing facilities, and home health agencies; to extend the moratorium through July 1, 2008; to provide for a moratorium on the designation of rural hospitals for the purpose of the Rural Hospital Preservation Act; and to provide for related matters.

Read by title.

Rep. Lydia Jackson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lydia Jackson to Reengrossed Senate Bill No. 500 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after the word "enact" insert "R.S. 40:2103(D) and"

AMENDMENT NO. 2

On page 1, line 5, after "centers," insert "hospitals"

AMENDMENT NO. 3

On page 2, line 9, after "reenacted" and before "to" insert "and R.S. 40:2103(D) is hereby enacted"

AMENDMENT NO. 4

On page 3, between lines 4 and 5 insert the following:

"R.S. 40:2103(D) is all proposed new law.

D.(1) Notwithstanding any other provision of law to the contrary, the Department of Health and Hospitals shall implement a moratorium, effective until July 1, 2006, on the licensure of any hospital other than the following:

(a) A hospital that, upon application for a license, attests in writing that within twelve months of licensure, the hospital will be classified by the Medicare program as a long term care hospital under 42 C.F.R. §412.23(e).

(b) A hospital that, upon application for a license, attests in writing that the hospital will be classified by the Medicare program as a comprehensive physical rehabilitation hospital and applies for such classification at the time the license is issued.

(c) A hospital that, upon application for a license, attests in writing that the hospital will be classified by the Medicare program as a

psychiatric hospital and applies for such classification at the time the license is issued.

(2) Nothing in this Section shall be construed to prevent a licensed hospital from adding beds, deleting beds, or changing the certification of all or some of the hospital's beds to another hospital bed classification.

(3) The moratorium shall not apply to cases in which a license is sought to lease or otherwise utilize beds in an existing hospital.

(4) The moratorium shall not apply to cases in which a nursing facility chooses to utilize beds as a long term acute care hospital, provided that the facility has applied for a license from the Department of Health and Hospitals no later than January 1, 2004.

(5) The moratorium shall not apply to cases in which a proposed hospital has conducted a comprehensive feasibility study or received initial approval from a parish or municipal zoning and planning board or commission or has submitted plans, blueprints, or schematics to the Department of Health and Hospitals by July 1, 2003.

(6) The moratorium shall not apply to any previously licensed acute care hospital seeking to resume operation."

Rep. Lydia Jackson moved the adoption of the amendments.

Rep. Durand objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hudson	Psychaud
Ansardi	Hutter	Pinac
Bowler	Iles	Salter
Carter, K	Jackson, L	Thompson
Downs	Jackson, M	Toomy
Gallot	Landrieu	Tucker
Glover	Lucas	Waddell
Hebert	Montgomery	
Total—23		

NAYS

Alario	Frith	Pitre
Alexander	Fruge	Powell
Arnold	Futrell	Quezaire
Baudoin	Guillory	Romero
Baylor	Hammett	Scalise
Beard	Hill	Schneider
Broome	Honey	Schwegmann
Bruneau	Johns	Shaw
Capella	Katz	Smith, G.—56th
Carter, R	Kennard	Smith, J.D.—50th
Cazayoux	Kenney	Smith, J.H.—8th
Crane	LaFleur	Stelly
Crowe	LeBlanc	Strain
Curtis	Martiny	Swilling
Damico	McDonald	Townsend
Daniel	McVea	Triche
Diez	Morrish	Walsworth
Durand	Murray	Welch
Erdey	Nevers	Winston
Fannin	Odinet	Wright
Farrar	Perkins	

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Faucheux
Total—64

Pierre

ABSENT

Baldone
Bruce
Dartez
Devillier
Doerge
Downer
Total—18

Flavin
Green
Heaton
Hopkins
Hunter
Lancaster

Morrell
Richmond
Smith, J.R.—30th
Sneed
Walker
Wooton

The amendments were rejected.

Rep. Karen Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Karen Carter to Reengrossed Senate Bill No. 500 by Senator Schedler

AMENDMENT NO. 1

On page 3, line 2, after "facilities." and before "Further" insert "Without limiting the generality of the foregoing, the legislature specifically intends that this moratorium shall not apply to the facility in Orleans Parish formerly known as New Orleans General Hospital."

On motion of Rep. Karen Carter, the amendments were adopted.

Rep. Durand moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baudoin
Baylor
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downs
Durand
Erdey
Fannin
Farrar
Faucheux

Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery

Odinot
Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Stelly
Strain
Swilling
Toomy
Townsend
Triche
Tucker
Waddell
Walsworth
Welch

Flavin
Frith
Fruge
Total—95

Morrish
Murray
Nevers

Winston
Wright

NAYS

Beard
Curtis
Total—4

Hunter
Thompson

ABSENT

Baldone
Downer
Total—6

Morrell
Sneed

Walker
Wooton

The Chair declared the above bill was finally passed.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 567— BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1514.3, relative to insurance policies; to provide for the surrender of a defendant for non-payment of premium; to provide for certain notification requirements upon surrender; and to provide for related matters.

Read by title.

Rep. Gallot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 567 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 5, after "premium" and before the period "." insert "without thirty days written notice, via certified mail to the defendant at the address designated pursuant to Code of Criminal Procedure Article 322"

AMENDMENT NO. 2

On page 3, line 10, between "premium" and "shall" insert "without thirty days written notice, via certified mail to the defendant at the address designated pursuant to Code of Criminal Procedure Article 322"

On motion of Rep. Gallot, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor

Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert

Odinot
Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire

Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wright
Früge	Nevers	
Total—101		

NAYS

Total—0

ABSENT

Crowe	Sneed
Downer	Wooton
Total—4	

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 590—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), and to enact R.S. 37:795(B)(2)(q) and (r), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; to provide for new fees; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 590 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, after "(F)," and before "relative" delete "and to enact R.S. 37:795(B)(2)(q) and (r),"

AMENDMENT NO. 2

On page 1, line 5, after "anesthesia;" and before "and" delete "to provide for new fees;"

AMENDMENT NO. 3

On page 5, delete lines 25 and 26

AMENDMENT NO. 4

On page 6, delete lines 1 through 13

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Walsworth moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wright
Frith	Nevers	
Früge	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Downer	Wooton
Total—2	

The Chair declared the above bill was finally passed.

Rep. Walsworth moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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SENATE BILL NO. 601—

BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1142.1, relative to insurers; to provide for certain licensing requirements for the solicitation of bail; to provide for certain prohibited activities; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Nevers	
Total—100		

NAYS

Perkins
Total—1

ABSENT

Downer
Lancaster
Total—4

Smith, J.D.—50th
Wooton

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 715—

BY SENATOR B. JONES

AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of trotlines on Lake D'Arbonne; and to provide for related matters.

Read by title.

Rep. Downs moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devilleir	Lucas	Triche
Diez	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Flavin	Murray	Wright
Frith	Nevers	
Total—95		

NAYS

Fruge
Total—1

ABSENT

Doerge	Iles	Richmond
Downer	Kennard	Swilling
Faucheux	Pitre	Wooton
Total—9		

The Chair declared the above bill was finally passed.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 716—

BY SENATOR B. JONES

AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of yo-yos and trigger devices on Lake D'Arbonne; and to provide for related matters.

Read by title.

Rep. Downs moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Hopkins	Romero
Beard	Hudson	Salter
Bowler	Hunter	Schneider
Broome	Hutter	Schwegmann
Bruce	Iles	Shaw
Bruneau	Jackson, L	Smith, G.—56th
Capella	Jackson, M	Smith, J.D.—50th
Carter, K	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Farrar	Morrell	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wright
Frith	Odinet	
Futrell	Perkins	
Total—94		

NAYS

Fruge	Scalise
Total—2	

ABSENT

Carter, R	Fannin	Morrish
Doerge	Hammett	Walsworth
Downer	Honey	Wooton
Total—9		

The Chair declared the above bill was finally passed.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 733—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 30:9.1, relative to oil and gas production; to provide for termination of drilling and production units under certain circumstances; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Psychaud
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Downs	Wooton
Downer	Swilling	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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SENATE BILL NO. 759— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3398.2, relative to business and industry advisory boards for institutions of postsecondary education; to create and provide for the Process Technology Advisory Board; to provide for its membership; to provide for its mission; and to provide for related matters.

Read by title.

Rep. Crane sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crane to Engrossed Senate Bill No. 759 by Senator Theunissen

AMENDMENT NO. 1

On page 2 delete lines 23 and 24 in their entirety and insert in lieu thereof the following:

"(h) Two citizens with expertise in process technology appointed at-large by the governor."

AMENDMENT NO. 2

On page 3, line 9, after "(c)" and before "curriculum" change "Facilitate and approve" to "Recommend"

On motion of Rep. Crane, the amendments were adopted.

Rep. Crane moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Psychaud
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kennard	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch

Faucheux
Flavin
Frith
Futrell
Total—97

Morrish
Murray
Nevers
Odinet

Winston
Wright

NAYS

Fruge
Total—2

Pierre

ABSENT

Doerge
Downer
Total—6

Downs
McDonald

Richmond
Wooton

The Chair declared the above bill was finally passed.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 901— BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 40:1300.26 and 1300.46, relative to health; to authorize adoption of ordinances regulating smoking in the workplace and public places; and to provide for related matters.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 10, insert "A." before "Any"

AMENDMENT NO. 2

On page 2, between lines 1 and 2, insert the following:

"B. Any ordinance, rule or regulation adopted pursuant to R.S. 40:1300.26 and 1300.46 shall not be applicable to the exemptions provided for in R.S. 40:1300.25."

AMENDMENT NO. 3

On page 2, line 5, insert "A." before "Any"

AMENDMENT NO. 4

On page 2, after line 13, insert the following:

"B. Any ordinance, rule or regulation adopted pursuant to R.S. 40:1300.26 and 1300.46 shall not be applicable to the exemptions provided for in R.S. 40:1300.25."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Shaw sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shaw to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

In Amendment No. 7 proposed by the House Committee on Health and Welfare and adopted by the House on June 6, 2003, on page 1, line 26, after "(3)" and before "beverage" delete "Restaurant or" and change "alcoholic" to "Alcoholic"

AMENDMENT NO. 2

In Amendment No. 7 proposed by the House Committee on Health and Welfare and adopted by the House on June 6, 2003, on page 2, line 14, after "(3)" and before "beverage" delete "Restaurant or" and change "alcoholic" to "Alcoholic"

AMENDMENT NO. 3

In Amendment No. 7 proposed by the House Committee on Health and Welfare and adopted by the House on June 6, 2003, on page 2, line 17, after "71.1," delete the remainder the line and insert in lieu thereof "271(A)(2), 271.1, and 271.2."

AMENDMENT NO. 4

In Amendment No. 11 proposed by the House Committee on Health and Welfare and adopted by the House on June 6, 2003, on page 3, line 22, after "(3)" and before "beverage" delete "Restaurant or" and change "alcoholic" to "Alcoholic"

AMENDMENT NO. 5

In Amendment No. 11 proposed by the House Committee on Health and Welfare and adopted by the House on June 6, 2003, on page 3, line 25, after "71.1," delete the remainder the line and insert in lieu thereof "271(A)(2), 271.1, and 271.2."

Rep. Shaw moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 18 yeas and 74 nays, the amendments were rejected.

Rep. Pinac sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "1300.46," insert "and to enact R.S. 40:1300.46.1,"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert "and R.S. 40:1300.46.1 is hereby enacted"

AMENDMENT NO. 3

On page 2, after line 13, insert the following:

"* * *

§1300.46.1. Violations; fines

A. A municipal or parish governing authority shall adopt provisions for the violations of an ordinance, rule, or regulation, adopted pursuant to the authority granted by R.S. 40:1300.26 and 1300.46.

B. Any violation of a municipal or parish ordinance, rule, or regulation adopted consistent with the provisions of this Section shall be punishable by a fine of not less than twenty-five dollars nor more than one thousand dollars."

Rep. Pinac moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 20 yeas and 72 nays, the amendments were rejected.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

In House Committee Amendment No. 7 proposed by the Health and Welfare Committee and adopted by the House of Representatives on June 1, 2003 on page 1, between lines 28 and 29, insert the following:

"(5) Food establishments."

AMENDMENT NO. 2

In House Committee Amendment No. 7 proposed by the Health and Welfare Committee and adopted by the House of Representatives on June 1, 2003 on page 2, between lines 25 and 26, insert the following:

"(5) Food establishments means an establishment as defined and permitted by LAC 51:XXIII.101 and 501."

AMENDMENT NO. 3

In House Committee Amendment No. 11 proposed by the Health and Welfare Committee and adopted by the House of Representatives on June 1, 2003 on page 3, between lines 4 and 5, insert the following:

"(5) Food establishments."

AMENDMENT NO. 4

In House Committee Amendment No. 11 proposed by the Health and Welfare Committee and adopted by the House of Representatives on June 1, 2003 on page 3, after line 33, insert the following:

"(5) Food establishments means an establishment as defined and permitted by LAC 51:XXIII.101 and 501."

Rep. Arnold moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 32 yeas and 63 nays, the amendments were rejected.

Rep. Toomy sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

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Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

On page 2, after line 13, insert the following:

"Section 2. The provisions of this Act shall not be deemed nor construed to preempt, supersede, repeal, or otherwise affect any ordinance of a local governing body which was adopted prior to September 1, 1993, pursuant to R.S. 40:1300.27."

On motion of Rep. Toomy, the amendments were adopted.

Rep. Hebert moved that the bill be recommitted to the Committee on Commerce.

Rep. Daniel objected.

By a vote of 20 yeas and 81 nays, the House refused to recommit the bill to the Committee on Commerce.

Rep. Daniel moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Futrell	Perkins
Baldone	Gallot	Peychaud
Baudoin	Glover	Pierre
Baylor	Green	Pitre
Beard	Guillory	Powell
Broome	Hammett	Quezaire
Bruce	Hill	Richmond
Bruneau	Honey	Salter
Capella	Hudson	Scalise
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Fauchoux	Murray	Wright
Flavin	Nevers	
Total—83		

NAYS

Alexander	Heaton	Romero
Ansardi	Hebert	Schneider
Arnold	Iles	Smith, J.R.—30th
Bowler	Kennard	Winston
Fruge	Pinac	
Total—14		

ABSENT

Devillier
Downer
Hopkins
Total—8

Lancaster
Lucas
Sneed

Townsend
Wooton

The Chair declared the above bill was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 938— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 11:122(3), 242(E)(introductory paragraph) and (1), 271(C)(1) and (2), 768(D)(3), 883.1(C)(1) (introductory paragraph), 1191, 1549(B), and 2260(A)(11)(d), R.S. 24:38(B)(1), 514(G) and (H), 553(B), and 554(A)(1), and R.S. 33:1531(C); to enact R.S. 24:552.1 and Part III of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:571 through 575; and to repeal R.S. 24:513(C) and (D)(2) and (3), 514(D), and 521; relative to legislative agencies and employees, to provide with respect to the powers, duties, and functions of the legislative actuary; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

SENATE BILL NO. 214—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, FIELDS, ELLINGTON, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER, THEUNISSEN AND THOMAS AND REPRESENTATIVES PITRE AND DOWNER

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.2(B) and (C) and 10.5(C) of the Constitution of Louisiana and to add Article VII, Section 10(D)(2)(e) and (f) of the Constitution of Louisiana, relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for the cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 568—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLLIS, HOYT, IRONS, LAMBERT, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER AND THEUNISSEN
AN ACT

To amend and reenact R.S. 39:97(C) and R.S. 49:213.7(B)(1) and (D) and to enact R.S. 39:34(B)(2)(d) and 54(B)(2)(d) and (e) and to repeal R.S. 49:213.7(B)(3), relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for a cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; to provide for an effective date; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 330 by Sen. Boissiere, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

s I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 18
Returned without amendments.

House Concurrent Resolution No. 25
Returned without amendments.

House Concurrent Resolution No. 38
Returned without amendments.

House Concurrent Resolution No. 44
Returned without amendments.

House Concurrent Resolution No. 51
Returned without amendments.

House Concurrent Resolution No. 54
Returned without amendments.

House Concurrent Resolution No. 66
Returned without amendments.

House Concurrent Resolution No. 74
Returned without amendments.

House Concurrent Resolution No. 80
Returned without amendments.

House Concurrent Resolution No. 94
Returned without amendments.

House Concurrent Resolution No. 98
Returned without amendments.

House Concurrent Resolution No. 99
Returned without amendments.

House Concurrent Resolution No. 100
Returned without amendments.

House Concurrent Resolution No. 105
Returned without amendments.

House Concurrent Resolution No. 106
Returned with amendments.

House Concurrent Resolution No. 107
Returned without amendments.

House Concurrent Resolution No. 163
Returned without amendments.

House Concurrent Resolution No. 164
Returned with amendments.

House Concurrent Resolution No. 167
Returned without amendments.

House Concurrent Resolution No. 173
Returned without amendments.

House Concurrent Resolution No. 175
Returned without amendments.

House Concurrent Resolution No. 178
Returned without amendments.

House Concurrent Resolution No. 182
Returned with amendments.

House Concurrent Resolution No. 187
Returned without amendments.

House Concurrent Resolution No. 191
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 93, 107, 124, and 126

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 86, 281, 307, 329, 446, 736, 761, 1036, and 1110

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 86— BY SENATOR HINES

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 281— BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1307(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 307— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and 1235.2(A), relative to qualifications to operate ambulances and ambulance providers and licensure; to provide an exception regarding heliports; and to provide for related matters.

Read by title.

SENATE BILL NO. 329— BY SENATOR HAINKEL

AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide for conversion of certain unused leave to service credit; and to provide for related matters.

Read by title.

SENATE BILL NO. 446— BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:3071(32), relative to medical necessity review organizations; to provide for definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 736— BY SENATOR C. JONES

AN ACT

To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 335, relative to rural development; to provide for the Rural Town Revitalization Program; to provide a definition of "rural town"; to provide for legislative findings and declaration; to create the Rural Town Revitalization Fund; to provide for administration of the fund; to provide for rules, regulations, and program guidelines; and to provide for related matters.

Read by title.

SENATE BILL NO. 761— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Read by title.

SENATE BILL NO. 1036—
BY SENATOR C. JONES

AN ACT

To enact R.S. 17:1383 through 1385, relative to school districts; to establish a Priority Education Zone; to provide for enrollment of school systems and enlistment of resource providers; to provide for the administration and operation of the Priority Education Zone; to provide relative to the Minimum Foundation Program; and to provide for related matters.

Read by title.

SENATE BILL NO. 1110—
BY SENATOR BOISSIERE

AN ACT

To enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 79, 83, 106, 108, 109, 111, and 115

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 5, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 38, 50, 55, 83, 112, 116, 126, 294, 378, 788, and 800 and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 225—
BY REPRESENTATIVE BOWLER AND SENATOR FIELDS
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute, Marriage/Persons Committee, to replace references to illegitimate children in its revision of the Civil Code articles on filiation.

Read by title.

On motion of Rep. Bowler, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Administration of Criminal Justice**

June 5, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 190, by Martiny
Reported favorably. (9-0)

Senate Bill No. 383, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 518, by C. D. Jones
Reported favorably. (8-0) (Regular)

Senate Bill No. 663, by Heitmeier
Reported with amendments. (8-0) (Regular)

Senate Bill No. 726, by C. D. Jones
Reported favorably. (6-0) (Regular)

Senate Bill No. 963, by Cravins
Reported with amendments. (9-0) (Regular)

DANIEL MARTINY
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 963, were referred to the Legislative Bureau.

Report of the Committee on Health and Welfare

June 5, 2003

To the Speaker and Members of the House of Representatives:

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I am directed by your Committee on Health and Welfare to submit the following report:

Senate Concurrent Resolution No. 12, by Hines
Reported favorably. (10-0)

Senate Bill No. 315, by Schedler
Reported with amendments. (11-0) (Regular)

Senate Bill No. 318, by Ellington
Reported favorably. (9-0) (Regular)

Senate Bill No. 613, by C.D. Jones
Reported without action with recommendation to recommit the bill to the Committee on Civil Law and Procedure. (9-0)

Senate Bill No. 698, by Ullo
Reported favorably. (9-0) (Regular)

Senate Bill No. 866, by Schedler
Reported with amendments. (10-0) (Regular)

Senate Bill No. 869, by Johnson
Reported favorably. (9-0) (Regular)

SYDNIE MAE DURAND
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Judiciary

June 5, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 4, 2003, I am directed by your Committee on Judiciary to submit the following report:

House Bill No. 1650, by Wooton
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 8, by Gautreaux
Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 9, by McPherson
Reported with amendments. (10-0-1) (Regular)

Senate Bill No. 76, by Ellington
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 108, by Hoyt
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 291, by Smith
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 418, by McPherson
Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 596, by Chaisson
Reported with amendments. (6-1-2) (Regular)

Senate Bill No. 842, by McPherson
Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 1009, by McPherson
Reported with amendments. (7-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on House and Governmental Affairs

June 5, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 202, by Glover
Reported with amendments. (9-0)

House Bill No. 360, by Bruneau
Reported favorably. (10-0) (Regular)

House Bill No. 1052, by Lancaster
Reported with amendments. (9-0) (Regular)

House Bill No. 1287, by Perkins
Reported with amendments. (10-0) (Regular)

House Bill No. 1313, by Glover
Reported with amendments. (6-4) (Regular)

House Bill No. 1416, by Gallot
Reported favorably. (6-4) (Regular)

House Bill No. 1679, by Broome
Reported with amendments. (9-0) (Regular)

Senate Bill No. 6, by Dupre
Reported with amendments. (8-0) (Regular)

Senate Bill No. 11, by Dupre
Reported with amendments. (7-2) (Regular)

Senate Bill No. 211, by Boissiere
Reported with amendments. (9-0) (Regular)

Senate Bill No. 623, by Michot
Reported with amendments. (8-0) (Regular)

Senate Bill No. 890, by Hainkel
Reported favorably. (8-0) (Regular)

Senate Bill No. 926, by Adley
Reported with amendments. (8-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Insurance

June 5, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Concurrent Resolution No. 194, by Townsend
Reported favorably. (11-0)

House Bill No. 1439, by Hebert
Reported by substitute. (9-0) (Regular)

House Bill No. 1440, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 1447, by Hebert
Reported with amendments. (11-0) (Regular)

Senate Bill No. 408, by Gautreaux
Reported with amendments. (12-0) (Regular)

Senate Bill No. 666, by Heitmeier
Reported favorably. (10-0) (Regular)

TROY HEBERT
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Labor and Industrial Relations

June 5, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 4, 2003, I am directed by your
Committee on Labor and Industrial Relations to submit the following
report:

Senate Bill No. 740, by Schedler
Reported favorably. (10-0) (Regular)

Senate Bill No. 819, by Dardenne
Reported with amendments. (11-0) (Regular)

ELCIE GUILLORY
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

June 5, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 4, 2003, I am directed by your
Committee on Municipal, Parochial and Cultural Affairs to submit the
following report:

House Bill No. 1822, by Glover
Reported with amendments. (5-4) (Regular)

Senate Bill No. 146, by Smith
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 279, by Dardenne
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 338, by Cravins
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 414, by Smith
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 781, by Boissiere
Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 808, by Johnson
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 821, by Schedler
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 823, by Smith
Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 868, by Johnson
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 870, by Johnson
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 972, by Boissiere
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 1005, by Heitmeier
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 1018, by B. Jones
Reported with amendments. (8-0-1) (Regular)

Senate Bill No. 1033, by B. Jones
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 1056, by Hoyt
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 1122, by Johnson
Reported favorably. (7-0-1) (Regular)

SHARON WESTON BROOME
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 5, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following
report:

Senate Bill No. 10
Reported without amendments.

Senate Bill No. 71
Reported without amendments.

Senate Bill No. 110
Reported without amendments.

Senate Bill No. 132
Reported without amendments.

Senate Bill No. 143
Reported with amendments.

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Senate Bill No. 155
Reported without amendments.

Senate Bill No. 178
Reported without amendments.

Senate Bill No. 190
Reported with amendments.

Senate Bill No. 197
Reported without amendments.

Senate Bill No. 199
Reported without amendments.

Senate Bill No. 203
Reported without amendments.

Senate Bill No. 215
Reported without amendments.

Senate Bill No. 252
Reported without amendments.

Senate Bill No. 283
Reported without amendments.

Senate Bill No. 301
Reported without amendments.

Senate Bill No. 320
Reported without amendments.

Senate Bill No. 351
Reported without amendments.

Senate Bill No. 362
Reported without amendments.

Senate Bill No. 363
Reported without amendments.

Senate Bill No. 406
Reported without amendments.

Senate Bill No. 693
Reported without amendments.

Senate Bill No. 767
Reported with amendments.

Senate Bill No. 799
Reported without amendments.

Senate Bill No. 826
Reported without amendments.

Senate Bill No. 864
Reported with amendments.

Senate Bill No. 876
Reported without amendments.

Senate Bill No. 937
Reported with amendments.

Senate Bill No. 1020
Reported without amendments.

Senate Bill No. 1050
Reported without amendments.

Senate Bill No. 1057
Reported without amendments.

Senate Bill No. 1072
Reported without amendments.

Senate Bill No. 1088
Reported without amendments.

Senate Bill No. 1097
Reported without amendments.

Senate Bill No. 1109
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Privileged Report of the Committee on Enrollment

June 5, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 1—

BY REPRESENTATIVE HUTTER

A RESOLUTION

To create the District 104 Florida Avenue Bridge Citizen Task Force to monitor progress on the Florida Avenue Bridge, a TIMED project, and to inform local residents regarding such progress; and to provide for related matters.

HOUSE RESOLUTION NO. 73—

BY REPRESENTATIVE MURRAY

A RESOLUTION

To adopt House Rule 6.8(H) of the Rules of Order of the House of Representatives, to provide for recommitment of bills that provide exceptions to public records laws.

HOUSE RESOLUTION NO. 84—

BY REPRESENTATIVES TRICHE AND CAZAYOUX

A RESOLUTION

To urge the House of Representatives to not approve funding for the construction of a new stadium located in the city of New Orleans for the National Football League team known as the New Orleans Saints.

HOUSE RESOLUTION NO. 107—

BY REPRESENTATIVE BROOME

A RESOLUTION

To recognize June 4, 2003, as Georgia Gulf Corporation Day at the Legislature of Louisiana.

HOUSE RESOLUTION NO. 108—

BY REPRESENTATIVE GUILLORY

A RESOLUTION

To commend the Baton Rouge Processing and Distribution Center for being recommended for the prestigious STAR award under the

Occupational Safety and Health Administration's (OSHA) Voluntary Protection Program.

HOUSE RESOLUTION NO. 109—
BY REPRESENTATIVE HUTTER

A RESOLUTION

To urge and request the Louisiana State Law Institute, Marriage/Persons Committee, to study Louisiana's community property partition statute and make specific recommendations on or before March 15, 2004, for revisions to state law.

HOUSE RESOLUTION NO. 110—
BY REPRESENTATIVE ERDEY

A RESOLUTION

To commend Kyle Matthew Leibenguth of Denham Springs upon achieving the rank of Eagle Scout.

HOUSE RESOLUTION NO. 111—
BY REPRESENTATIVE ERDEY

A RESOLUTION

To commend D. Tyler Harrison of Watson upon achieving the rank of Eagle Scout.

HOUSE RESOLUTION NO. 112—
BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To commend Sydney R. Wilhite and his entire family upon the thirtieth anniversary of Louisiana Plastic Industries.

HOUSE RESOLUTION NO. 113—
BY REPRESENTATIVE HONEY

A RESOLUTION

To commend Rickie Weeks of Southern University upon being selected by the Milwaukee Brewers in the Major League Baseball First-Year Player Draft.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 5, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 213—
BY REPRESENTATIVES KENNEY AND THOMPSON AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with certain others, to study a proposal to include certain agriscience courses as a core curriculum science option for the Tuition Opportunity Program for Students and the impact, if any, that implementing such a proposal may have on the academic eligibility requirements for program awards and on postsecondary education student financial aid policy and to report in writing on study findings and recommendations to the House Committee on Education and the

Senate Committee on Education by not later than December 15, 2003.

HOUSE CONCURRENT RESOLUTION NO. 217—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To proclaim April 7 annually as Honor the Elderly Day.

HOUSE CONCURRENT RESOLUTION NO. 222—
BY REPRESENTATIVE LUCAS

A CONCURRENT RESOLUTION

To recognize the last week in April of every year as Minister Appreciation Week, to commend and honor the ministers of Louisiana, to urge and request the governor to proclaim the last week in April of every year as Minister Appreciation Week, and to request members of Louisiana's congressional delegation to seek to provide for a national Minister Appreciation Week.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE WADDELL AND SENATOR MALONE

A CONCURRENT RESOLUTION

To commend Samuel Maurice "Maury" Hicks, Jr. upon his confirmation by the United States Senate as a federal district judge for the Western District of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Johns, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Monday, June 9, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 642

Senate Bill No. 22

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet on Monday, June 9, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 540, 1550, and 1919

Senate Bill Nos. 21 and 133

Leave of Absence

Rep. Wooton - 1 day

Rep. Downer - 1/2 day

Adjournment

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On motion of Rep. Kenney, at 5:15 P.M., the House agreed to adjourn until Monday, June 9, 2003, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, June 9, 2003.

ALFRED W. SPEER
Clerk of the House